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The Imperial Parliament

EDITED BY

SYDNEY BUXTON, M.P.

In every free country it is of the utmost importance that all opinions extensively entertained, all sentiments widely diffused, should be *stated* publicly before the nation."—BAGEHOT.

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LOCAL OPTION.

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OCAL OPTION.

BY

W. S. CAINE, M.P.

WILLIAM HOYLE, F.S.S.

AND

V. DAWSON BURNS, D.D.

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SIXTH THOUSAND.

UNWIN BROTHERS, THE GRESHAM PRESS, CHILWORTH AND LON

PREFATORY NOTE.

In a General Election which appeals for the first time to every householder in the United Kingdom, a question so vitally affecting the social and moral welfare of the people as that forming the subject of this volume, must of necessity come to the front.

No candidate in either political party can shirk the question, for the attack and defence of the liquor traffic is in the hands of two powerful organizations,—the United Kingdom Alliance on the one hand, and the Licensed Victuallers Protection Defence League on the other; and both will demand pledges.

While we have not hesitated to declare frankly our own opinions with regard to the lines upon which we think this controversy should be settled, we have at the same time been careful not to overlook the various

aspects under which the subject may present itself to other minds.

We do not claim to have exhausted the wide subject of the laws relating to the sale of intoxicating liquor; but we hope we have afforded such information as is necessary to the due consideration of the proposal to apply Local Option in the administration of those laws; and to indicate lines upon which legislation of a satisfactory character may be based—legislation which will give to the people power to protect themselves against the infliction, by any licensing authority, of a dangerous and degrading traffic in their midst.

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LOCAL OPTION.

CHAPTER I.

THE ORIGIN OF LOCAL OPTION.

THE names of religious and political bodies are often examples of a law of language, by which general terms are apt to receive particular applications. An illustration of this tendency is furnished by the now familiar phrase "Local Option"—a term wide enough to include the whole range of local self-government, but which is now popularly used for the proposal to confer on localities complete power in regard to the trade in intoxicating liquors.

The events which have led up to the present stage in the history of Local Option may be briefly sketched.

The injurious working of the licensing laws had long and painfully impressed the friends of Temperance, but no organized measures to effect a change were attempted, until some gentlemen, residing in Manchester and Salford, formed themselves into a provisional committee early in 1853; and the 1st of June in that year witnessed the

inauguration of the United Kingdom Alliance, "to procure the total and immediate legislative suppression of the traffic in intoxicating liquors as beverages." The General Council of the Alliance met October 26, 1853, and issued a Declaration, consisting of seven propositions, the first being as follows: "That it is neither right nor politic for the State to afford legal protection and sanction to any traffic or system which tends to increase crime, to waste the national resources, to corrupt the social habits, and to destroy the health and lives of the people." Is such a trade or system to be found among us? The second proposition virtually replies by asserting—"That the traffic in intoxicating liquors as common beverages is inimical to the true interests of individuals, and destructive of the order and welfare of society, and ought therefore to be prohibited."

After four years of public agitation from the platform, the press, and the pulpit, the General Council of the Alliance determined, at its meeting on October 14, 1857, to adopt a series of suggestions for a "Voluntary Maine Law," or "Permissive Bill," which had been drawn up and submitted for its consideration. By so doing, the General Council endeavoured to return an answer to the inquiry often propounded, "How do you propose to carry this Prohibition into effect? Do you wish for a general peremptory law by which, throughout the whole country, the liquor traffic shall be suddenly stopped?" This inquiry had derived considerable interest from a correspondence between Lord Stanley, M.P. (now Earl

Derby), and Mr. Samuel Pope, the hon. secretary of the Alliance, in the course of which his lordship had enlarged on the disastrous effects which would issue from bringing so large a portion of our fiscal and commercial system to an instantaneous termination.

To this objection there was the general reply, that any partial and temporary injury thus caused, would be more than compensated by the national benefits produced. But it was none the less apparent, that the proposal of a national and immediate suppression of the liquor traffic, would carry with it such a sense of difficulty, and involve so great a disturbance of trade operations, as must prove obstructive to any trial of the principle. There was, indeed, to stimulate imitation, no historical example of such a change on so vast a scale. The State of Maine, followed by several others of the New England group, had passed prohibitory laws; but the number of persons concerned, and the commercial and fiscal relations affected thereby, bore no comparison to the magnitude of both numbers and interests with which a prohibitory law for the United Kingdom would deal.

De Tocqueville, years before, had pointed out that the United States enjoyed singular advantages for experiments in social legislation, because of its constitutional system, under which the several States could legislate over a wide range of social questions, so that while the persons directly affected were relatively few as compared with the nation, the nation as a whole could profit by the example and results of the legislation which one or

more of the States had chosen to enact. In reality, the Constitution of the United States conferred permissive powers upon the separate States; and, in the exercise of those powers, the State of Maine had determined, in 1851, to prohibit the manufacture and sale of intoxicating liquors as beverages. That the Constitution of the Union did give to each State such powers, had been decided by the Supreme Court of the United States on March 6, 1847, in the great liquor suit in which the State of Massachusetts was defendant, though Daniel Webster and Rufus Choate, two of the greatest American lawyers, had been retained for the plaintiff. Chief Justice Taney delivered the unanimous decision of the Court, by which the constitutionality of prohibitory laws by the several States, was placed beyond all future question.

As in this country, however, no similar legislative arrangement existed, it was clear that the nearest approach to it would be some statute by which localities would be enabled to do for themselves what it was not expedient to do at once for the kingdom as a whole. By such a proposal the object of the Alliance would not be lost sight of, while its principle—total and immediate suppression of the liquor traffic in accordance with public opinion—would not only be preserved, but be progressively registered wherever the condition of a favourable local sentiment existed.

It is not inappropriate to notice, that some years before the acceptance of this scheme by the Alliance General Council in 1857, a similar solution of the difficulty attend-

ing national prohibition had occurred to Mr. Charles Buxton (afterwards M.P.), when writing for the *North British Review* an article on "How to Stop Drunkenness" (February, 1855). In that paper, comprehensive in scope, candid in spirit, and eloquent in style, Mr. Buxton observed: "Undoubtedly it would be a happy thing for our country if such a law [as that of Maine] were sought for by the people themselves, and enforced with their full concurrence. Experience has shown that a Maine Law, supported by public opinion, is not by any means so absurd a piece of legislation as it looks at first sight. . . . The chief objection made to such a law is that it would be greatly evaded. But the use of it would be, not so much to deprive drunkards of their liquor as to remove temptation from those who have not yet fallen. We think, under these circumstances, it might not be amiss to permit the application of a similar law to some parts of the United Kingdom. In fact, we are ourselves acquainted with villages where it has been virtually enforced, with the utmost benefit, by the mere refusal of the landlord to allow any sort of a beerhouse on his estate. But what we would throw out for consideration is the question, whether it should not be allowed that when five-sixths of the ratepayers of a parish demand the entire extinction of all the places for the sale of fermented liquors, their prayer should be granted, and all licenses then existing should expire, after a fair time had been allowed for the publicans to make other arrangements."

Here, undoubtedly, is the germinal principle of such

legislation as that which the Alliance sketched out in 1857; which was provided for in the Permissive Bill of Sir Wilfrid Lawson; and which, under the name of Local Option, has become the watchword of those who see in it a means of gradually arriving at the end they seek—the disappearance of the traffic in intoxicating drinks, not in opposition to, but as a result of, the will of the people locally expressed.

It was upon the 10th March, 1864, that Mr. (now Sir) Wilfrid Lawson obtained a first reading for his Permissive Prohibitory Liquor Bill (then called the Intoxicating Liquors Bill), but not till leave to bring it in had been contested, though carried by seventy votes to thirty-six. Petitions in its favour bearing nearly half a million signatures were presented to the House of Commons, and the second reading of the Bill gave rise to a debate, the first of many, in which the mover proved his power of investing a subject, considered dry and disagreeable, with a wit and genial humour, the charm of which has been acknowledged equally by opponents as by friends. The vote stood at 37 in the affirmative to 294 in the negative (with tellers), giving, with 3 pairs, 40 members of the House of Commons who were willing to concede to the people the power to protect themselves, by prohibiting the traffic which had brought upon them, century after century, ten thousand ills.

It is not necessary to narrate the vicissitudes of the Permissive Bill, but it will be desirable to cite its pre-

amble, in order to make clear the substantial identity of its terms, and the object of the proposed legislation with the Local Option Resolution of 1879. The preamble ran thus: "Whereas the common sale of intoxicating liquors is a fruitful source of crime, immorality, pauperism, disease, lunacy, and premature death, whereby not only the individuals who give way to drinking habits are plunged into misery, but grievous wrong is done to the persons and property of Her Majesty's subjects at large, and the public rates and taxes are greatly augmented; and whereas it is right and expedient to confer upon the ratepayers of cities, boroughs, parishes, and townships, the power to prohibit such common sale as aforesaid, be it therefore enacted," &c.

This preamble enunciates a fact and a right—the *fact* of a wrong done to localities where the liquor traffic exists; the *right* of self-protection against the wrong, by the possession of a power to prevent its cause.

It will thus be seen, that the demand for Local Option does not spring from any spirit of caprice or speculation, but from the existence of local oppression, to get rid of which the power of Local Option is invoked.

It is not a little remarkable, that this view of the question, which is the most practical and direct, is constantly overlooked by those who oppose the demand for Local Option. They too often treat that demand as a "hobby," a "fad," and a "crotchet;" but they do not care to face the historical fact, that there would never have arisen any such demand, had not the liquor traffic been what

it is described to be in the preamble to the Permissive Bill, nor do they condescend to show how it is crotchety to seek the removal of a great agglomeration of social evils by getting rid of their fruitful cause.

The transition from the Permissive Bill to the Local Option Resolution took place in the session of 1879, the sixth and last of the Parliament elected in 1874. It was comparatively easy for opponents of the Permissive Bill to advance objections to its details while voting against its principle; and it was further alleged that it provided no means of giving effect to a local desire for the reduction of the traffic, where its suppression was not yet wished. In order to stop the irrelevant objections of the one class, and to grant scope to the legitimate wishes of the other, Sir Wilfrid Lawson determined to exchange his Bill for a Resolution, which would, if accepted as the basis of a Bill, give to localities all that he claimed, without denying them the means of such a lesser relief as they might crave.

It may be pertinently asked, how the phrase "Local Option" came into circulation, as expressive of the claim that localities should have a deciding choice as to the exclusion of the liquor traffic; and the answer takes us back to the October of 1868, when, at the General Council meeting of the Alliance, a letter by Mr. Gladstone was read, in which occurred the following sentence: "I could not go beyond a reference to my votes and speeches in the House of Commons, including declarations made in the session lately expired, from which you

would see that my disposition is to let in the principle of local option, wherever it is likely to be found satisfactory." The phrase "local option" was considered a happy one as thus employed, but whether it then issued fresh from the mint of Mr. Gladstone's fertile phraseology cannot be affirmed. It was subsequently used, at times, by writers and speakers in connection with discussions of the liquor subject; but it was not till the March of 1879, that it attained a distinction which its author, or foster-parent, had never anticipated; and became, henceforth, descriptive of the authoritative choice which the people of districts should be permitted to exercise as to the suppression of the liquor traffic amongst them, together with any other legal provisions by which they might procure for themselves a reduction of that traffic, though not prepared for its absolute extinction.

CHAPTER II.

THE HOUSE OF COMMONS AND LOCAL OPTION.

THE announcement that Sir Wilfrid Lawson intended to challenge the vote of the House of Commons on his Local Option Resolution, caused considerable excitement among the various branches of the liquor trade. They regarded it as a tactical movement to be dreaded, and against which special precautions should be taken. Accordingly, having consulted among themselves how to break the force of this new advance, they agreed upon an amendment, which was in striking contrast to the Resolution; and this amendment was entrusted to Mr. Wheelhouse, M.P. for Leeds, who acted as their parliamentary spokesman and leader. The Resolution of Sir W. Lawson was almost identical with the 11th recommendation under "Legislative Remedies," contained in the Report of the Committee on Intemperance, appointed in 1868 by the Lower House of the Convocation of Canterbury. The report of this committee was presented in 1869, and the volume containing it and its appendices was widely circulated. The Resolution was as follows: "That inas-

much as the ancient and avowed object of licensing the sale of intoxicating liquors is the supply of a supposed public want without detriment to the public welfare, this House is of opinion that a legal power of restraining the issue or renewal of licenses should be placed in the hands of the persons most deeply interested and affected, namely, the inhabitants themselves, who are entitled to protection from the injurious consequences of the present system, by some efficient measure of Local Option." Mr. Wheelhouse's amendment was expressed in these terms: "That it would be most undesirable and inopportune to change the arrangements now legislatively provided for the regulation of the trade carried on by the licensed victuallers of the country, because any tribunal subject to periodical election by popular canvass and vote might, and in all probability would, lead to repeated instances of turmoil, and thus be detrimental to the peace and quietude of every neighbourhood in England."

On March 11, 1879, the conflict began in the House of Commons, and although the Local Option Resolution—moved by Sir Wilfrid Lawson and seconded by Mr. H. Birley—was rejected by 252 votes to 164, it received a much larger support than had been given to the Permissive Bill; and what was of more serious menace to the liquor interest, the publicans' amendment, after a vain attempt by Mr. Wheelhouse to secure its withdrawal, was negatived without a division. It was thus made plain that even a House of Commons, sup-

posed to have been largely elected under publicans' influence, was not prepared to sanction their policy; and that, in fact, the House had felt the rising tide of a public opinion destined powerfully to affect legislation upon this great popular question. Several other amendments were before the House, and most of these favoured some degree of Local Option.

On March 5, 1880, Sir Wilfrid Lawson again submitted his Resolution, which was seconded by Mr. Burt, in a speech marked by a directness and pathos, the force of which was acknowledged by Mr. Gladstone, whose concluding remarks have become memorable, alike from the eminence of the speaker, and from the testimony borne therein to the terrible nature of the evil which yet awaits legislative correction. Mr. Gladstone's speech concluded with these words: "It has been said that greater calamities are inflicted on mankind by intemperance than by the three great historical scourges—war, pestilence, and famine. That is true for us, but not true for Europe, and civilized countries in general, certainly not for Italy, for Spain, and for Portugal, and I believe that for France and Germany it may not be; but it is true for us, and it is the measure of our discredit and disgrace." On a division the votes were—for the Resolution, 134; against, 248; the numbers being somewhat smaller on both sides than on the previous occasion, though the loss was chiefly on the side of the Resolution. No other great question was afterwards debated in that session or Parliament, for a dissolution ensued, and a political transformation resulted.

About three months later, on June 18, 1880, Sir Wilfrid Lawson again rose to move his now famous Resolution, in a House from which a large number of his most resolute opponents had been excluded by the General Election. The Resolution was seconded by Mr. Hugh Mason, and though Mr. Gladstone voted against it on the technical ground that it was an amendment to his own motion to go into Committee of Supply, he made it clear that he was not opposed, but, to use his own words, "friendly to the principle itself;" adding, "I earnestly hope that at some not very distant period it may be found practicable to deal with the licensing laws, and in dealing with the licensing laws to include the reasonable and just measure for which my honourable friend (Sir Wilfrid Lawson) pleads." The debate concluded a little past midnight, and Sir Wilfrid Lawson found his cause in the ascendant, the numbers being 229 for the Resolution, and 203 against, showing a majority of 26. The supporters included 19 members of the new Government; and it may be safely affirmed that by this division it became certain that, in any future legislation on the licensing laws, the principle of Local Option must be recognized and incorporated. The causes of this remarkable revolution in the vote of the House of Commons were mainly two. First, the new elections which had returned a large body of members reflecting the growing sympathy of the constituencies in favour of Local Option. Secondly, the broader form of the Local Option Resolution, as compared with the narrower scope

of the Permissive Bill, so that in voting for the Resolution many members felt, that they were providing for the expression of a public opinion less advanced than that required for giving effect to the Permissive Bill.

In the session of 1881, as the Government had not yet taken action, Sir Wilfrid Lawson thought it useful to seek from the House a still more explicit declaration, and on the 14th of June he proposed the following motion: "That in the opinion of this House it is desirable to give legislative effect to the Resolution passed on the 18th day of June, 1880, which affirms the justice of local communities being invested with the power of protecting themselves from the operation of the Liquor Traffic." The expediency of submitting this motion, under the peculiar circumstances of the period, was questioned by even some sincere friends of Local Option, but the division list proved that the House had no reluctance to endorse it, the vote being Ayes, 196; Noes, 154—a majority of 42. Twenty members of the Government voted in the majority.

In the succeeding session of 1882, Sir Wilfrid Lawson, owing to the exigencies of public business, could not propose his Resolution; but on the 27th day of April, 1883, he submitted the following motion: "That the best interests of the nation urgently require some efficient measure of legislation by which, in accordance with the Resolution already passed and reaffirmed by this House, a legal power of restraining the issue or renewal of licenses for the sale of intoxicating liquors may be placed in the hands of the

persons most deeply interested and affected, namely, the inhabitants themselves." This motion was seconded by Mr. W. S. Caine; and after 27 members in all had taken part in the debate, the motion was carried by 228 votes against 141, a majority of 87. Sir William Harcourt, then Home Secretary, accepted the motion on behalf of the Government, and admitted to the full the principle that all licenses being granted for one year only, there is, under the licensing system, a legal power of refusing to renew them to the present holders. The distinguishing event of this division was the speech and vote of Mr. Gladstone in favour of the motion, this being the first time he had given his vote for Local Option, though the form of the motion was an amendment on going into Committee of Supply. Of the seven Cabinet Ministers having seats in the House of Commons, six voted for the motion, viz., Mr. Gladstone, Mr. Childers, Sir W. V. Harcourt, Mr. Chamberlain, Mr. Dodson, and Sir C. W. Dilke.[1]

The sessions of 1884 and 1885 passed without any further motions on Local Option, and as time proceeded, it became increasingly evident that the legislation which the Government continued to avow themselves ready to propose, if circumstances were favourable, would not be possible during the term of the Parliament then sitting, unless it were more than usually prolonged.

The results of these parliamentary discussions have been at present negative so far as legislation is concerned; but no

[1] See Appendix I for complete numbers of votes and pairs in the five divisions on Local Option.

acute observer can deny, that the three successful debates and divisions in the Parliament of 1880–5, have not only marked a great turn in parliamentary sentiment, but have foreshadowed changes of a practical character. Both the justice and urgency of Local Option legislation have been conceded; and either no reform of the licensing laws will be attempted—a most improbable circumstance, since complaints of them are universal—or there will be some reforms carried out which will embrace a definite application of the Local Option principle.

To what extent the Government of Mr. Gladstone were to blame, if at all, for the absence of legislation need not be discussed at any length. It would have been possible for them to bring in a Bill providing some simple machinery enabling localities to instruct the existing licensing authority not to issue or renew licenses in their midst; but it was evident from the first, that, while willing to give effect to Sir Wilfrid Lawson's prohibitory idea of Local Option, the Government were anxious at the same time to make an extensive change in the licensing authority itself, with the view of intrusting the matter to representative bodies, who should act in behalf, and by the authority, of the districts electing them. If the Government were wise in resolving to deal with the licensing question in its entirety, it is clear that the struggles and embarrassments of each session afforded them few opportunities of addressing themselves to this laborious task.

In another chapter of this volume various practical

applications of Local Option will be considered, and it will suffice at present to observe, that the energy and enthusiasm by which the Local Option agitation has been carried to its present high position, have not originated in, nor could ever have been originated by, any desire to transfer the power of licensing from one set of hands to another; but were generated by an intense conviction that licensing the sale of intoxicating liquors, whoever might grant the licenses, was a means of inflicting enormous evils on society, and that the suffering localities should be armed with power to rid themselves of the intolerable evils systematically and legally continued. In other words, Parliament was urged to sanction Local Option as a just and lawful means to a just and needful end. Hence the gist of the Resolution twice rejected, and at length adopted, by the House of Commons, was contained in the statement that the inhabitants of localities are "entitled to protection against the injurious consequences of the present system." To these words of the Convocation of Canterbury Report, Sir Wilfrid Lawson added, "By some efficient measure of Local Option." Unless, therefore, it can be shown that "a power of restraining the issue or renewal of licenses" in order to obtain this protection, cannot be conferred without a transfer of the licensing authority—and such a contention no one has ever set up—it follows that all that is necessary to an efficient measure of Local Option, is a method by which "the issue or renewal of licenses may be restrained" whenever the local community so desires.

It would be far from accurate to assert that the members of the Parliament of 1880–5 did all that was expected of them by thrice affirming the Local Option principle; yet when a comparison is made between its spirit and conduct and those of all preceding Parliaments since 1864, there is good reason for congratulation on the advance attained—an advance which may be regarded as irrevocable, and as preparing the way for that more definite action to which the members of the new Parliament may be pledged by the constituencies they will represent.

CHAPTER III.

FREE TRADE, THE LICENSING SYSTEM, AND LOCAL OPTION.

In 1853 a Select Committee of the House of Commons was appointed to inquire into the public-house system, and it was not disguised by the leading members of that committee, that they were anxious to destroy what they called the system of "monopoly" or restriction in the licensing of public-houses. That committee, which sat in 1853 and 1854, collected a large mass of evidence and made a report, the only portion of which, curious to say, specially acted upon, was the limitation of hours for the sale of intoxicating liquors on Sunday. The recommendations of the committee, tending to greater freedom of trade in intoxicating liquors, have never found legislative expression; but the sentiment at the back of them has made itself felt in various quarters, and a number of able writers have founded their chief objection to Local Option on that theory of free trade which, they contend, should be applied to intoxicating liquors as well as to other articles of commerce and consumption. Those

who are prepared to carry out this theory to the fullest extent are, indeed, very few, and perhaps among these few there is scarcely one who has had official experience of the social working of the public-house system. They generally stop short of absolute free trade by suggesting special regulations as to hours and conditions of sale, and even as to inspection, which it is not sought to apply to other trades. To the publicans themselves the idea of free trade is nearly as odious as that of Local Option; so that those who specially defend the "vested interests of the trade," are compelled to avoid this dangerous weapon of attack upon the cause of Prohibition. Even Lord Bramwell, whose argument for "Drink" leads him to oppose all restrictions as to its sale, halts at last before the crucial point of limiting the number of houses, saying, "It is a matter as to which I have great doubt and difficulty."

If the theory of free trade in liquor were fearlessly and impartially applied, it would, beyond doubt, put an end to any sort of Local Option, except the option of unlimited drinking facilities; but it would also sweep away the whole Licensing System, extinguish all the value in public-house property arising from that system, and leave the "Liberty and Property Defence League" shorn of a portion of its most liberal, if not most disinterested supporters. It would, likewise, bring this country back to the state of affairs in regard to the sale of intoxicating liquors, which existed prior to the first Licensing Act passed in 1552 in the reign of Edward VI. The germ of

that Act lies in the statute concerning "Vagabonds" (19 Henry VII. cap. 12 sect. 7), but there is no evidence as to whether the restricted power then given to Justices of the Peace was ever used.

In respect to the theory of free trade, it cannot be pretended that it is one applicable to every kind of article, without regard to its nature or the danger to which society may be exposed. As applied to intoxicating liquor, it can only be defended on the ground, that it is better for society that the sale of such liquors should be free—as free as the law of supply or demand can make it—rather than limited by conditions affecting the sellers, times, and modes of sale. Trade is not of necessity a good thing; and free trade is only better than restricted trade if the freedom is attended with greater benefits to society. The question, therefore, is not one to be determined on any abstract or *doctrinaire* principle, but by an appeal to such experience as history and observation afford.

What do we learn on this point from our national annals?

If free trade in strong drink could ever have proved advantageous, or even harmless, it must have been when the liquors were less intoxicating than at present, and when the domestic production of the weaker beverages was more extensive. Down to the reign of Elizabeth, ardent spirits were seldom used except as medicines, and home-brewing was common, especially in rural districts; but the preamble to the 6 Edward VI. c. 25, shows what had been the issue of free trade in fermented

liquors, conducted under the most favourable circumstances: "Forasmuch as intolerable hurts and troubles to the commonwealth of this kingdom do daily grow and increase, through such abuses and disorders as are had and used in common alehouses and other houses called tippling-houses, it is therefore enacted," &c.. This Act forbade all sale of ale, &c., except by licenses from the justices who were to take securities from the persons licensed, and were empowered to withdraw the licenses at discretion. A subsequent Act fixed the number of taverns, or wine-shops, in the principal towns. It was one of the causes of complaint against the sale of patents in the reign of James I., that by means of them the number of licenses was increased contrary to the wishes of the justices and of the people.

The Licensing System continued intact till the reign of William III. and Mary, when, in order to find a market for the worst sort of grain, the manufacture and sale of spirits were encouraged. In the two succeeding reigns, the sale became practically free, and Mr. Lecky, in his "History of England in the Eighteenth Century" (vol. i. pp. 479–82), describes the effects of this free-trade-in-gin policy which caused "the passion for gin drinking to spread with the rapidity and virulence of an epidemic." Yet, unlike an epidemic, "the fatal passion," as he terms it, did not subside or even intermit; but "once planted in the nation" by reckless legislation, it defied the attempts of the clergy and medical faculty, and such inadequate legislation as was resorted to, for its abatement.

The failure of the Act of 1736 to master the evil—a failure most absurdly cited by some as evidence of the failure of prohibitory legislation—was the strongest proof of the folly of the preceding legislation which had possessed the body politic with an evil spirit that now refused to be cast out. In less than a hundred years the lesson with regard to free trade in ale and beer—a lesson which the Act of 1552 might well have kept in remembrance,—was apparently forgotten, and to cure the evil of spirit drinking, free trade in beer was eloquently advocated. Worse still, free trade in beer was enacted, and by the Beer Act of 1830 a new flood of drunkenness and demoralization was let loose over the nation. The Rev. Sydney Smith, and others, who had forwarded this change, confessed its deplorable results; but Lord Brougham was the only one of its leading supporters, who endeavoured to put an end by legislation to the evils which legislation had produced.

In regard to the sale of beer for consumption on the premises, we have now returned to where we were before 1830, after suffering the consequences, many of them irretrievable, of the free-trade craze. Subsequently Mr. Gladstone, yielding to some chimerical idea of reducing drinking in public-houses, and in order to extend the sale of light French wines on which he had set his heart, by facilitating the sale of intoxicants for consumption off the premises, adopted in 1860–1 a legislative policy, which has greatly increased the sale of the strongest alcoholic liquors;—a policy which has, according to the

testimony of many hundreds of medical men, sadly augmented drinking among the female population. The effects of this free-trade-in-drink theory are, in truth, so flagrantly disastrous, that the tendency of recent legislation has been to bring all licenses under the power of the magistrates.

In Liverpool, meanwhile, a contest proceeded among the justices themselves as to the free issue of public-house licenses; but after a trial of the system of free issue from 1862 to 1866, it was abandoned, as it had been adopted, by a small majority of votes, and the more restrictive system was triumphant.

During the discussions on Mr. Gladstone's measures of 1860–1, reference was frequently made to the greater sobriety of Continental countries, where, it was urged, the free sale of light alcoholic beverages had successfully combated the passion for stronger intoxicants. The social history of those countries since that time has refuted this hasty conclusion, and has added a series of proofs to those afforded by our own national experience, that it is a very mischievous error to treat alcoholic liquors as suitable subjects of a free-trade policy. It is forty-seven years since King Louis Philippe assured Mr. E. C. Delavan, of America, that "the drunkenness of France is on wine;" but the increased consumption of spirits by the French people, and especially by the army, was one acknowledged cause of the overwhelming defeat of the French in the war of 1870–1. It now appears from the recent Report of Consul-General Oppenheimer

(Commercial Reports, 1885, No. XI.), that the increase of spirit drinking in Germany has been going on at a most rapid and alarming pace. In Belgium it is no better, but rather worse; and in Switzerland, where all the elements said to be conducive to sobriety exist in rare combination, the one fatal fault of free trade in liquor has been sufficient, not only to neutralize all the restraining forces, but to bring about, even in the Canton of Geneva, a state of drinking demoralization exceeding anything in our own country.

The Federal Council of Switzerland has made inquiries which confirm the most alarming statements of the evil, and the Commission of Inquiry attribute much of its virulence to the Federal Law passed about a dozen years ago, preventing the cantons from legislating in restraint of trade. The effect was to extinguish all restrictions on the traffic in strong drink, and to introduce a free-trade policy, which has proved a disastrous delusion.

The advocates of free trade in liquor have generally pointed out certain injurious consequences of the Licensing System, which would disappear with the removal of that system; and they have thence inferred that free trade ought to supersede it. But they have not stopped to inquire whether greater evils of another kind would not arise, and they have still less cared to inquire whether the evils of both systems would not disappear, without any countervailing mischief, if Local Option were enacted.

As against the free-trade policy, Local Option would afford a possible security from all the results of that policy, without at the same time compelling any district to accept the security. As against the Licensing System, Local Option would allow each district to choose between that system and Prohibition, between license and no license, with the means of actually testing which system was most conducive to its interests.

Looking a little closely into the Licensing System, we see that in spirit and intent there is nothing in it that need prevent the passing of a Local Option law. The very object of establishing the Licensing System in 1552 was—and the only reason for its continuance down to this day has been—*the prevention of social evil*, or, failing this, the suppression of the sale of intoxicating liquor on the licensed premises. If the licensing laws were carried out as they should be, and as they were intended to be, either the liquor traffic would cease to be a source of evil to society, or the traffic would lapse by the refusal of the licensing authorities to continue the licenses necessary for its legal existence.

The one essential question that springs up is this: *Does the Licensing System answer its intended purpose?* And probably not a single licensing magistrate in the country would answer that it does. But if not, it cannot be expected that the nation shall be satisfied with a system which is either incompetent to secure the object of its own existence, or the administration of which is

palpably defective. Either the justices can work the system so as to protect society, or they cannot. If they can, why at some period of the three hundred years of licenses have they not done so? If they cannot, it is intolerable that society should be bound to a system which is inherently and incurably inefficient.

The magistrates are generally credited, and no doubt rightly, with trying to do their duty; but the painful and oppressive fact remains, that the one thing they have to do in regard to the liquor traffic is not only left undone, but that the reverse is done, and to such an extent as to constitute the Licensing System, which is the mainspring of the liquor trade, a source of the greatest national calamities.

Under these circumstances, there seems to be but two reasonable alternatives; either (1) that the magistrates should accept the responsibility of their actions, or (2) that, in default of magisterial protection, the people should be empowered to act for themselves.

As to the first of these alternatives, it is, perhaps, not commonly understood that the licensing powers of the justices form an anomaly in our present Governmental System, and are, in short, a relic or survival of the Feudal System, under which the Crown delegated its powers to its servants, and transferred to them the legal immunity enjoyed by itself. A Licensing Bench has the power of granting licenses to sell liquors, and by the exercise of this power it may, and does, create and continue a system productive of vice, crime, pauperism,

and misery of every kind. Yet, though armed with powers so tremendous, there is no tribunal to which the bench is called upon to report, and to which it must render an account of its stewardship. The Prime Minister and the parish beadle are alike responsible to some one, or some Body, but the Licensing Bench is not. This is a survival, as we have said, but not "of the fittest;" rather it is a survival of a privilege the most unfit to be exercised without responsibility or control. Probably no justice would sit to grant licenses if in any tangible form the consequences of his own acts could be brought home to him; but if so, what greater condemnation could be passed on the acts themselves, or on the system under which they occur?

The second alternative, that of enabling the people to intervene for their own protection, is the very essence and substance of "Local-Option;" and, as the Licensing System is local in its form, and administered by local men for local advantage, the only addition to it at all necessary is, that the locality should be empowered to act for its own benefit, by choosing, when so minded, to diminish the number, or to dispense altogether with the licenses, under which alone the traffic in intoxicating drink can be legally carried on. The Licensing System itself provides facilities for this intervention. All licenses are granted for the public good, and not for the good of the holder. All licenses are granted for one year only, and lapse at the end of the year. The same licenses are not renewed, but new ones must be obtained by all

applicants, whether applying for the first or fortieth time, or no legal right of selling exists. The power of granting or refusing all such licenses rests with the Licensing Justices. This is the state of the law with regard to all places where intoxicating liquors are sold for consumption on the premises; and all beer licenses for consumption off the premises, are now under the justices' jurisdiction. The other licenses for consumption off the premises, are either such as are granted by them, if certain conditions are complied with, or are obtained direct from the Excise. These, however, are but a small portion of the whole, and are all granted on the assumption that they subserve the public good.[1]

A Local Option law would supplement these, or any other licensing arrangements that might be devised, and would do that which is not yet done—and which cannot otherwise be done—it would make judges of those for whose advantage the licenses are granted. It would not compel them, as the Licensing System does, to suffer from evils traceable to a definite source. It would save the Licensing System from being half farce, half tragedy, as it is at present. It would relieve the magistrates, or any licensing authority, from the knowledge or fear of doing that which was contrary to the local sentiment. It would, for the first time in their history, erect the people into local tribunals for dealing out to themselves such a measure of justice on this matter as they might desire and determine.

[1] See Appendix II.

CHAPTER IV.

PROPOSED SUBSTITUTES FOR LOCAL OPTION.

OPPONENTS of Local Option are in the habit of stating, that the object for which Local Option is advocated, and which they admit to be most desirable, can be as well or better attained by other methods, free from the difficulties and drawbacks which a resort to law—or as they usually call it "coercion"—would involve.

At the outset, there is one vital question which they have to face, but which they usually evade, namely, whether law has any business at all with the liquor traffic by way of regulation or restriction? If not, then we are left to the free-trade system, whose disastrous operations have been already referred to. If there be some legitimate place for law to occupy, and some good influence for it to exert, it is plain that for this no efficient substitute can be provided; and we are again brought to consider, what laws are best suited to the circumstances of the case. It is, then, open to contention, that nothing but the exclusion of the liquor traffic from certain districts will do all that is needed; and that the fittest means

of obtaining that exclusion is by Local Option. If law, therefore, be necessary, and if, having regard to the need for a clear expression of public opinion, Local Option is the best form (though not the only form) of law, it can admit of no substitute in its own particular sphere.

Bearing this caution in mind, when we proceed to examine into the nature of the substitutes proposed for Local Option, we are treated to nothing more convincing than to some pleasant talk upon the advantages of improved dwellings; the spread of public education; the importance of innocent and refining amusements; the utility of coffee taverns, &c.; a general progress in sobriety; and the power of "moral suasion." As it is too much to expect that in future discussions upon the question, these substitutes will be consigned to neglect, some remarks upon each of them may here be of service.

1. *Better houses for the people* are exceedingly desirable; and bad housing does undoubtedly often encourage public-house frequenting. But the house must be there in order to be visited; and it will generally be found that the bad housing has had some previous connection with the drinking habits of some members of the family. Evils and evil habits act and re-act. Two things are, however, certain: First, that bad housing is due very largely to drinking as a direct cause, and also very largely to drinking as a primary cause of other direct causes; and secondly, that no arrangements for better housing will bear their desired and appropriate fruit so long as the drinking-shop receives so great a proportion of working

people's money. How is the absence of the drinking-shop to be brought about? If this were done by voluntary closing, or by universal abstention, nothing more would be needed; but to hope for this in the face of all experience, and to let the cause of the evil continue to operate till the hope were fulfilled, would be utter folly, when it was possible, as it is by means of Local Option, to bring about the result in another way. Were the drink trade stopped, good housing would prosper, and bad housing would become rare. If instances have ever occurred of reformation from drunken habits by the provision of improved dwellings, they must be few. A business-like attempt to effect this change, was made by a friend of temperance, who built some houses in a suburb of London, and resolved to let them to drunkards only. They were soon occupied, but the inmates had quickly to be dislodged in order to save the interiors from destruction. If, however, better dwellings are not substitutes for Local Option, Local Option would be a valuable adjunct to all wise schemes of securing to the people healthy homes at reasonable prices.

2. *Education* may be said to exert influences favourable to sobriety, yet, in all ages great numbers of the educated have been slaves to intemperance, and, indeed, the nervous waste from intellectual effort actually becomes, unless guarded against, an inducement to resort to the treacherous aid of alcohol. By this means a reliance on, and an appetite for, this drug (for so it is whatever may be its beverage composition) is easily formed, and

when formed, is apt to acquire a force against which every motive is powerless. Education in habits of abstinence, would, if general, effect a great promotion of national sobriety; but this would mean the collapse of the liquor traffic; whereas in the mouth of those who use it as a reason against legislation, the idea is, that while drinking facilities may be maintained, education will arrest tendencies to injury and excess therefrom.

There is, on the contrary, the clearest evidence that in countries like Scotland and Sweden, Germany and Switzerland, where education is most general, drinking facilities have proved peculiarly pernicious; while in the case of Sweden, the legislation against spirits in recent years has had a marked effect in the reduction of drinking and drunkenness. The late Lord Brougham was one of the chief pioneers of popular education in this country, and his words of wisdom and warning on this point may be quoted: "It is painful to admit that we must reckon education among palliatives only. There cannot be a greater fallacy than to set its effects in suppressing crimes, against intemperance in producing them; and it is a dangerous fallacy for men to rely upon improvement in education, and its effect in controlling the passions, as sufficient to counteract the direct tendency of intemperance. The influence of education is indirect and of gradual operation; the action of intemperance is direct and immediate. To rely upon popular improvement, and take no measures for removing the direct cause of crime, would be to lull ourselves into as perilous a security, as

those who should trust to the effect of diet and regimen when the plague was raging, or who, in that confidence, before it broke out should take no precaution against its introduction."[1]

Those who talk so smoothly of education as a complete antidote to intemperance while the liquor traffic remains, forget that the education in drinking habits which the public-house constantly fosters, has ever been proved to be an education of the most potent character, and one far more likely to overcome the restraints of former school education than to be overcome by them. What, too, is the sort of moral education which millions of the young are receiving in homes made wretched and vicious by the influence of the drink-shop?

3. That *superior amusements* will have a good effect is not open to denial; but this effect is always impaired where "the drink" comes in, and the connection of strong drink with so many kinds of amusements, is a means of debasing them and all who patronize them—a class far larger than those who take advantage of the higher kinds of recreation.

Nothing would more directly tend to a distaste for the lower, and a preference for the better, class of entertainments, than the increase of that social sobriety which Local Option would diffuse.

4. *Coffee Taverns*, and all other "public-houses without the drink," have a beneficial action in providing genuine "refreshment" for those who would otherwise

[1] Address before Social Science Congress at Bradford, 1859.

go to the public-house; but their influence in closing ordinary liquor-shops has been very slight, and in the competition for business the drinking-shop has often caused the closing of its sober rival. In one poor district of London, a coffee tavern was used by the women as a sort of waiting-room on Sunday afternoons till the adjoining gin-shops were opened. Where drinking-shops are converted into coffee taverns, the gain is positive, yet if another license is granted for each one thus allowed to lapse, the apparent gain to sobriety may be an actual loss. It is very strange how many good men and women can rest satisfied with setting up what they call "counteractions to the public-house." These are, in most cases, more counteracted by the drink-shop than successful in counteracting it; but the question which ought to suggest itself to these philanthropists is, whether it would not be much better if there were no public-houses to counteract; and whether there be any virtue or statesmanship in the licensing by law of houses which good citizens find it necessary to counteract.

5. *The prevailing tendency in all classes towards sobriety* is often taken as a text by those who wish to preach an anti-Local Option sermon. They descant on the remarkable sobriety of the upper classes, and picture a time when the working classes shall be like them, the combination issuing in a sober millennium. That there has been a very gratifying improvement in the drinking habits of the upper classes, may be granted without an admission of such a state of general temperance

as forms a sufficient model for other classes. The more expensive drinking houses are not supported by working or lower middle class people; and the wine bills of gentlemen are not by any means characteristic of a "moderation" that need not be surpassed. Does anybody venture to contend that the young men of the aristocracy are examples of self-control in regard to drinking? Fashion has done not a little to discourage deep drinking in company; but fashion may change for the worse as it has changed for the better, and fashion can never serve as a substitute for that power of law, which may, as it ought to do, "make it easy to do right and difficult to do wrong." The Temperance Reform which has been operating for above fifty years has done not a little to change the fashion in all classes; and it is but another development of the same spirit, which is contained in the demand for legislation, that shall help to give strength and extention to the improvement which has taken place within that period.

6. *The power of "Moral Suasion"* is urged by many who bid us trust to its agency, and not seek to exchange it for "brute force" and "coercion."

Some may think it sprightly to speak of law as "brute force" and "coercion," but a truer conception of law is that of the public intelligence using the public resources for the public good. Force is present, to be employed if necessary, as oftentimes it is necessary; but surely it is better that the force on the side of law and order should be greater than that on the side of lawlessness and disorder.

The force that compels obedience to law, or punishes disobedience, is essential to the execution of any law, yet not in the least inconsistent with the greatest amount of persuasion to right action which can be used. The moralist and judge, the schoolmaster and policeman, the preacher and legislator, are not in antagonism: and to whatever perfection "moral suasion" and its influences might attain, it would be still indispensable to ordain rules or laws on public affairs, and to have in reserve the force needful to execute them. On Temperance legislation, therefore, the question is not as to "force" or "coercion" as opposed to "moral suasion," but as to the need of any legislation in regard to the liquor traffic; and on this question there is a public sentiment more nearly approaching unanimity than perhaps exists on any other question outside the recognized duty of the State to protect life and property. Lord Bramwell has admitted that society does not in theory or practice confine the duty of the State to such narrow limits; yet it may easily be shown that the duty of the State, within even such limits, could not be efficiently discharged if it were to forego all legislation on the liquor traffic, by the action of which life and property are being constantly imperilled and destroyed to an enormous extent.

Some, though comparatively few, of the advocates of Total Abstinence have taken up the cry of "moral suasion" in opposition to legislation. "Persuade men to abstain," they have said, "and the thing is done." "Let every man be a law to himself." "If every one

closed his own mouth against the drink, the public-house would close of itself." This is equivalent to saying that if all men did right constantly, the sources of evil would be dried up; a truism which, however, in actual life does not dispense with the necessity of using all suitable means for getting rid of wrong-doing. Universal abstinence would not only render Local Option superfluous, but also Temperance organizations of every kind; yet most of the earnest advocates of Temperance believe in special agencies for its spread, and also in the value of legislative enactments for the removal of such causes of its obstruction, and of the promotion of intemperance, as are within the range, and subject to the influence, of law.

The earliest Temperance reformers in America and this country felt the need of legislation; and one of the most valuable Reports ever issued by a Select Committee of the House of Commons, was that of the Committee over which Mr. J. S. Buckingham, M.P., presided in 1834, whose recommendations were very advanced, and pointed with certainty to the ultimate suppression of the liquor traffic. The Irish Apostle of Temperance, Father Mathew, was the chief of all Temperance suasionists, who, in the course of a few years, virtually converted the bulk of the Irish people to total abstinence, but who, having watched the seductive effects of the liquor traffic upon the good resolutions and improving habits of a people emerging from the drinking-slough of ages, was prepared to "hail with rapture," as he said, the formation of the United Kingdom Alliance, as offering by its legislative

platform the only basis for a permanent Temperance reformation. Temperance reformers would be blind if they did not see that the legalized temptations to drinking are the greatest foes of "moral suasion" to abstinence, and that, with the law against them, they are fighting a battle, the losses in which will always be incalculable, and the triumph of which will be indefinitely delayed. It has been the aim of Temperance associations from the beginning to seek the removal of "all the causes of intemperance;" and they would be false to their original principle of action, if they did not seek to remove that main cause of intemperance, which consists in a system of trade that is supported by express legislation.[1]

[1] The term "Moral Suasion" has been used above in its popular sense as signifying the use of persuasion to a change of *personal* conduct; but every correct thinker will see that "moral suasion" is the use of moral motives for effecting all kinds of changes, and is, therefore, as really applicable to arguments for a change of legislation as to reasons for a change of individual habit.

CHAPTER V.

OBJECTIONS TO LOCAL OPTION.

THOSE objections which may be grouped together as of a more theoretical character, will be considered in the following order—(1) The claims of Personal Liberty; (2) The Rights of Minorities; (3) The impossibility of making people sober by Act of Parliament; (4) Compulsory Sobriety; (5) The necessity of not outrunning Public Opinion; (6) Local Option as inferior to Imperial Legislation; (7) The risk of public tumult and disorder; (8) The danger of reaction; (9) The violation and evasion of the Law; (10) The "vested interests" of Liquor-dealers; (11) The growth of Drinking Clubs; (12) The loss to the Revenue.

Before touching on these objections, which we shall do as concisely as possible, it is important to note the fallacy which often underlies the statement of objections, viz., that of assuming that they must be disproved or they are fatal to the proposals against which they are brought. Nothing of the sort need follow. No reform, however valuable or imperative, is entirely free from objection as

to the inconveniences it will cause, or it may be, the disadvantages attending it. All that is really required is to show, that the reasons for a proposal are more weighty than the reasons against it. If, then, any of the objections alleged against Local Option were of force, it would not follow that this fact was fatal to it, or even sufficient to outweigh the reasons for its adoption. In the present case it is hoped to make it clear that the objections are destitute of any substantial weight, though, even if it were not so, the candid reader would still be ready to compare the advantages with the drawbacks, and carefully to consider the arguments presented in the following chapter in favour of Local Option.

1. *The claims of Personal Liberty.* It is very easy to trick out a theory of personal liberty, inconsistent not only with Temperance legislation, but with law of every kind, even such unwritten law as the rudest savages find it necessary to frame in order to make social existence possible. The theorists could not be punished more effectually, than by being compelled to put their theories into execution; and they would then soon learn that the rights and liberties which they insisted on asserting, had cost them the loss of a right to benefits, and a liberty of self-advancement, which can only be secured by the abandonment of personal claims inconsistent with the welfare of others. Robinson Crusoe on a desolate island is the embodiment of such theories, with this difference in Crusoe's favour, that he displayed, in making the best of

his undesired condition, an ingenuity that the theorists of the present day would not be likely to exhibit. Even Robinson Crusoe, when his Man Friday joined him, could not assert the same absolute rights which he had previously possessed.

But coming down from the clouds to solid ground, every one knows that in civil society no one can do as he likes, and that if he attempts simply to please himself, he is soon made conscious that there are wills besides his, and a power superior to his own. The author of "Hudibras" has an epigram on this subject which writers against Local Option would do well to study—

> "Law does not put the least restraint
> Upon our freedom, but maintain 't;
> Or if it does, 'tis for our good,
> To give us surer latitude;
> For wholesome laws preserve us free
> By stinting of our liberty."

Rightly stated, men, in society, can only be permitted to do what is not contrary to the welfare of society at large. Otherwise put—they must not do what is productive of damage to the substantial interests of society. No fine-drawn line can be laid down, but common sense will rule here as in other matters; and while much may be tolerated that does not quadrate with ideal, or even actual, social welfare, society, if wise, will not tolerate what is clearly productive of sensible and serious injury to itself. The right of determining what is or is not a social injury, must rest with society; and should mistakes occur, they

may be pointed out and rectified, but the right remains. This fact is overlooked by those who refer to ridiculous or mischievous attempts to legislate on such subjects as dress and religious belief in past times, and they conceive that the question is settled when they class with such obsolete enactments the legislation asked for by the advocates of Local Option. They might as well insist that because a man has made several mistakes in his speech, he has forfeited the right of speaking altogether. It is certain, that while society has recognized that in some matters it was guilty in olden times of inapposite and excessive legislation, it has been no less cognizant of the other side of the case, and has sought to repair past deficiencies, by applying legislation to that system which exposed our ancestors to so many chronic and wasting evils.

Blackstone has said: "Every man when he enters into society gives up a part of his natural liberty; and, in consideration of receiving the advantages of mutual convenience, obliges himself to conform to those laws which the community has thought proper to establish. . . . Natural or civil liberty, therefore, which is that of a member of society, is no other than natural liberty so far restrained by human laws (and no farther) as is necessary and expedient for the general advantage of the public." It has been customary to quote John Stuart Mill as opposed to Prohibition, or whatever may involve it; but Mr. Mill, in dividing all actions into social and self-regarding, and in admitting that social actions are under the

control of law (trade being included under social acts), cannot consistently refuse to society the power of deciding whether the drink trade may be wisely allowed or forbidden.

The late Professor Fawcett was, to the regret of many who admired his abilities and character, opposed to Local Option; but he would never define his position on the legislative question; and as he avowed his approval of transferring the licensing power to the people, it may be presumed that his objection was one rather of degree than of principle. His argument was to the effect, that he ought not to be prevented from getting a glass of beer which did him no harm, because other people took more than was good for them. But even the present law does not allow a man to get a glass of beer when and where he likes. Nor is the question one of getting a glass of beer, but how it is to be got. If traffic is properly subject to law, then the people may properly decide what things may be safely sold; and in so deciding, they are bound to consider, not only whether this or that sale may be productive of danger or evil, but what may be the effect of the sales as a whole. Thus, if the arrangements for getting a glass of beer be such as to produce evil, the extent of the evil confers the right to interfere. The statute book shows an abundance of cases in which acts are forbidden (such as the carriage or storage of explosives in public places), not because any separate act would be mischievous, but because of the danger attending any general liberty to perform such

acts. The liberty claimed by Professor Fawcett was that of getting a glass of ale in a particular way, that of having a drinking house within reach of him, which might be a means of great public injury; an injury for which he, the drinker of the one glass, would refuse to hold himself responsible. In other words, the liberty he claimed is one which would deprive society of the liberty of doing what is needed for its own security.

A similar reply may likewise be made to sallies, such as that ascribed to the late Lord Neaves, to the effect, that the Permissive Bill was "a Bill to permit you to prevent me doing what you don't like and I do." This is pretty well for a caricature, but it is a caricature nevertheless, since it ascribes to such a law a quality inherent in all law, viz., that of being disliked by many who have to submit to it, and since it omits the true ground of such legislation, which is not that of doing something disagreeable, but of doing what is beneficial to the community.

The question of personal liking, and liking of a very peculiar kind, is so mixed up with legislation on liquor, that it is apt to bias the judgment of even able men. If, however, it were proposed to arm communities with power to avert the infliction of injuries only a twentieth part as great, but proceeding from a source which gratified no one, such an objection as the above would never be advanced. Yet it must be evident, that the additional element of personal liking, or appetite, cannot detract from the right of claiming, or

exercising, powers of social self-defence. If Local Option were to be enacted, those who disliked its local operation would have the liberty to argue and vote against its adoption; but when they further claim the liberty of preventing others having the liberty of voting for the benefit and protection of the community, they are claiming not constitutional liberty, but the sort of liberty which, generally acted upon, would render law impossible and anarchy universal.

2. *The Rights of Minorities.* This subject has, in part, been anticipated by the previous observations. It is admitted that majorities must rule, but it is alleged, that to this principle there are exceptions, and the question of drink and drinking is said to be one of the exceptions. Why so? There are very few subjects in which society is so vitally interested as in that of legislation on liquor; and to exclude society from deciding upon it, is a claim for which very strong reasons should be assigned. Yet those who thus argue, would themselves resist the claim of a no-license minority to over ride a pro-license majority; thus making it clear that the only reason in this case for demanding exemption from the rule of the majority—or rather a reversal of that rule by allowing the minority to rule—is that the objector expects to find himself in the minority! The same objection sometimes takes the form of saying, that men should do as they like, and that it would be as fair to compel some to drink, as it would be to compel others to abstain. But here again the objector keeps out of view the object of

the legislation, which is not to make people do, or not do, this or that; but to stop or prevent a great social evil, traceable to a particular source. If the objector could show that great social evil arises from not compelling people to drink, he would then have some ground for his plea; but an objection which is based neither on fact, nor on analogy, is of no avail. This want of analogy is the vitiating element in the reasoning which places legislation against the liquor traffic on a level with legislation against freedom of public worship and religious action. The objector, if consistent, must contend for perfect freedom of liquor-vending. But he may also be reminded, that religious profession is not held to justify acts which society believes to be injurious to its moral well-being. A Mormon may think, and even teach, what he pleases as to polygamy as a church ordinance; but if he attempts to give effect to his teaching, his acts make him amenable to law, and his plea of religious liberty will not keep him outside the walls of a prison.

3. *The impossibility of making men sober by Act of Parliament.* The objection, as thus put, tends to give a wrong impression as to the proposed legislation regarding drinking. At the present time, thousands of the most drunken part of the population are constantly being made sober by Act of Parliament. Confined as these are in Her Majesty's prisons, their wills and habits are over-ridden by the force of circumstances, and they are made sober. This could not apply to the public at large, who are under no personal restraint. Under

Local Option the restraining forces would not operate upon the individual by locking him up and so keeping him sober, but would operate upon the conditions which law now creates, and which tend to make him drunken.

Law, by licensing, does two things; first of all, it gives the weight of its influence to habits which essentially tend to drunkenness; and secondly, it multiplies the temptations, or circumstances, which cause drinking. Such action is at variance with the true function of law; therefore, what is really wanted is, that law shall assume its rightful attitude, and cease to create the causes of drunkenness; or, in other words, cease to make people drunk; and in this way, sobriety would be secured, not by seizing people and compelling them to be sober, but by its providing the true conditions of healthy social life, and so producing the sobriety which must result therefrom. To exclude the liquor traffic from a district would not "make men sober" with prison completeness, yet few would be prepared to deny that a great reduction of drinking would arise, and that, in consequence of this, a great increase of sobriety would result. Laws against any crime cannot absolutely secure the opposite virtue; yet they are not without a good effect in the increase of honesty, decency, order, &c. And legislation against the liquor traffic has the advantage over almost all other legislation, that it acts on the *physical* cause of the evil; and the effect is analogous to that which happens when legislation against diseases acts directly on their physical causes.

4. *Compulsory Sobriety.* The objection that Local Option would be "compulsory sobriety," is used freely by those who, perhaps, a short time before, have adduced the opposite objection, that "men cannot be made sober by Act of Parliament." But these objections, while neutralizing one another, both fail to reach their intended mark. Temperance legislation can conduce to public sobriety by breaking up the centres and scattering the forces of insobriety; yet this would not amount to individual compulsory sobriety, though it would annihilate the intemperance which legislation induces.

Another objection proceeds on the assumption that an opposite condition would ensue from breaches of the law. As Local Option could stop or reduce only the local traffic in intoxicating drink, it is obvious that compulsory sobriety would not exist, however perfect the enforcement of the law. Some might consider this a defect; and it is indicative of a singular mood of mind, that so much opposition should be felt to a state of sobriety effected by compulsorily removing the causes of intemperance. Universal and complete sobriety would be so vast a blessing—including the absence of such great evils, and the potentiality of such incalculable good—that one might suppose all lovers of their race willing that it should possess so rich a boon at the price even of compulsion, which in this case would simply mean righteous law. There is very much of compulsion in God's government of the world; and there may be as many disposed to regret that national sobriety is not

thus made compulsory, as there are of those inclined to oppose everything that appears to connect this sobriety, with influences not originally spontaneous.

5. *The necessity of not outrunning Public Opinion.* This remark, frequently dropped in deprecation of Local Option, is, in fact, one of its strongest commendations. Legislation affecting the whole nation may not be approved by large constituent portions of it, and on this account, when the legislation bears on social habits, the difficulty of a general enforcement will be the greater. It was this consideration which induced the promoters of sanitary legislation to make the first Acts permissive and not peremptory, and by the beneficial results of the operations of those Acts, where they were adopted and enforced, the value of such legislation became so realized in willing districts as at length to be recognized by the nation. A principle found to operate so usefully in regard to public health, may be as usefully applied to public sobriety; for in both cases the legislation aims at the removal of the material causes of evil with the concurrence and active assistance of those who are directly affected by the evil and are desirous of relief. To say, as the opponents of Local Option do, that the people of certain districts shall not have the relief they seek, is a refinement of tyranny thinly disguised by the protest that the objectors are seeking to protect the liberty of the subject; the liberty, in this case, being a compulsion on others to suffer from evils which they are anxious to abolish! Local Option legislation acts both as a gauge

of public sentiment and a means of enforcing it; and to speak of it as outrunning public opinion, is not more sensible than to talk of a carriage outrunning the horses which draw it, or the wishes of the driver who is managing the steeds. An eminent Irish judge, the late Mr. Justice Crampton, in charging the Grand Jury of the city and county of Dublin, said, "Modern legislation has introduced a system of law which is of a most valuable kind. I mean the system of Permissive enactment. This kind of statute at once encourages local self-government, and respects the principle of personal liberty. I hold this principle as a valuable one, and I would apply it to a measure which, I hope, at a future period may become part of the law of the land. Its object is to enable cities and towns and districts, at their option, to exclude spirituous liquors and the liquor traffic from their borders, upon terms and securities into the details of which I cannot enter. The Bill is to act only on the previous will of the inhabitants, and the law will only prescribe and regulate the means by which the voice of the majority will be advantageously carried out."

6. *The limited and conditional nature of Local Option* has been made an objection to it. It has been said: "If the liquor traffic should be suppressed anywhere, it should be suppressed everywhere, and not left to the decision of a local majority." But statesmanship is supposed to recognize, not only what is ideally best, but what is practically best. There is, in reality, no uniform system of national licensing; and as the local justices

are now empowered to do what they think suited to the locality, there is nothing incongruous in giving the inhabitants power to decide that question for themselves. There can be no reason why relief should be denied to one district because another is not desirous of it, but prefers to remain as it is.

7. *The risk of tumult and uproar, as consequent on Local Option,* is a singular objection against a measure aiming to abate the chief cause of domestic strife and public disorder. This objection might, with far more justice, have been advanced against the forms of parliamentary and other elections continued for centuries. It casts, also, a very heavy imputation on those who are supposed by it to become lawless and violent when their own desire is thwarted. Nothing that has occurred in other countries, where Local Option has been adopted, justifies the anticipation of a refusal, on the part of our own countrymen, to show themselves in this respect quiet and orderly citizens. Appeal is sometimes made to what has already occurred, with threats of a repetition of the outrages. There is no ground for the appeal; and if there were, it would rather constitute a reason for maintaining the dignity and majesty of law against mob violence and misrule.[1]

8. *The danger of reaction* must be lessened by the nature of the arrangement which makes the locality

[1] The Hyde Park rioting in 1855 is persistently adduced to dissuade from legislation against the liquor traffic. The fact is that those disorders had no connection with the Sunday Closing legislation of 1854, but were directed against a Bill for restricting ordinary

master of its own fortunes, and which puts it in possession of whatever benefits its own choice confers upon it. But possible fluctuations, such as very frequently occur in political life, can be no valid reason against giving the people a power to decide upon a question which so intimately concerns them.

9. *Evasions of the law, and even direct violations of it*, may take place under Local Option as they occur now; but it should be understood that illegal acts, consisting in selling without a license, are acts just as open to commission now as then, by any persons who are not licensed, which is the condition of 199 in every 200 of the population. No new principle would be violated, and no new penalties need be imposed. If the inducements to unlicensed sale were greater on the one hand, the motives for preventing illegal acts would be greater on the other; and it would be a reproach to our police system to conceive of such a negligence as would permit an amount of traffic in strong drink, capable of producing anything like the social evil which is now the consequences of its licensed sale.

10. *The "vested interests" of the present dealers in strong drink*, are advanced against every scheme of Local Option; yet, it is obvious, that any scheme of extensive reform must carry with it a great reduction in the number

Sunday trading brought in by Lord R. Grosvenor (now Lord Ebury). The whole agitation was manufactured in the East End of London, and was a triumph of horse play. Is it seriously contended that the "residuum" should rule? and that threats of riot are to stave off reform?

of licensed houses. One official representative of the licensed victuallers has recommended a reduction of 60,000, and *The Times* has declared that a diminution of one-half would be necessary for producing any sufficient benefit. The question of Compensation is not bound up with that of Local Option; but it ought to be considered, that the granting of licenses on conditions that evils are not permitted and for one year only, is destructive of all legal claim for compensation. The evils which curse society are forbidden by the licensing concession, and nullify the license; and, even apart from this, when the year expires the license expires, and a fresh one is required to permit the continued sale of intoxicating drinks. Were any compensation awarded, it would be as an act of grace, and it is significant that nothing of the kind was done in the case of those licensed beer-sellers for consumption off the premises, at Darwen and other places, when renewals were refused by the magistrates.[1] Under any circumstances the interests of one class cannot form a bar to action for the interests of all classes, nor has it ever been suffered to act as such, when legislation either of a relaxing or restrictive character has

[1] An Act passed in 1882, giving to licensing justices complete jurisdiction over beer off-licenses, resulted in the refusal by the Over Darwen Bench, of 34 out of 72 licenses of this kind previously held. On appeal to the Court of Queen's Bench, the magisterial jurisdiction was upheld. Appendix III. gives a summary of refusals to renew licenses of all kinds from 1875 to 1882. The reader may be referred to a pamphlet entitled, "No Vested Interest in Licenses," by Mr. W. C. Amery, of Blandford, for much valuable information on the action of Licensing Benches and Judicial *dicta* in recent years.

been adopted, though on every occasion of the kind the cry of "vested interests" has been loudly raised.

11. *The growth of Drinking Clubs*, it is feared by some, will be encouraged by Local Option. Its friends have no disposition to under-rate the gravity of the club evil, and they would be ready, even now, to join in a well-considered effort to suppress clubs which have no *bonâ fides*, and are simply established for drinking purposes. If it were made imperative for all clubs to apply for certificates, as evidence of their being clubs of a *bonâ fide* character, the evil would be abated, as the keepers of clubs not receiving licenses would come under the category of unlicensed sellers.

12. *The loss which the Revenue would sustain from Local Option* is not an objection to which much weight can be attached except by those who think that the nation exists for raising a revenue. It is foreign to the interests of a country to raise revenue in such a way that its own moral vitality and material resources are impaired. At present out of every pound spent on liquor, the revenue gets about 5s. and the traffickers, 15s. But if the Exchequer got less than now, this would indicate that the money spent on drink was less, or, in other words, that for every one-fourth lost to the revenue, the people are gaining the benefit of three-fourths. Such a saving to the country, not to speak of the saving in numerous other ways amounting to about an equal sum, would supply means of dealing with any progressive diminution of revenue that might ensue. Sir Stafford Northcote (now the

Earl of Iddesleigh), when Chancellor of the Exchequer, declared, April 16, 1874, that if a diminished revenue from spirits arose from increased habits of temperance, "the amount of wealth such a change would bring to the nation, would utterly throw into the shade the amount of revenue that is now derived from the spirit duty, and we should not only see with satisfaction a diminution of the revenue from such a cause, but we should find in various ways that the Exchequer would not suffer from the losses which it might sustain in that direction." Mr. Gladstone's Government went so far as to include in the Queen's Speech of December 2, 1882, the following words, "The growth of the revenue is sensibly retarded by a cause which must in itself be contemplated with satisfaction. I refer to the diminution in the receipts of the Exchequer from the duties on intoxicating liquors." If out of a drink expenditure of a hundred and thirty millions sterling annually, the country can afford to give thirty millions to the Exchequer, could not the same, or a greater, amount be as easily applied to revenue, were the other hundred millions, or a large proportion of that sum, saved to the country? The political economist has but one answer to return to such an inquiry.

CHAPTER VI.

THE ARGUMENT FOR LOCAL OPTION.

THE argument for Local Option may be said to be drawn from three sources, and to consist of three distinct but converging lines. These may be designated, Past Failures, Social Justice, and Uniform Experience.

1. PAST FAILURES.

Upon the fact of past failures there is complete agreement. No one is satisfied. Even the most optimist observer cannot affirm that things might not be better. Free trade in intoxicating liquors always has been, and is, where still carried on, a failure fraught with innumerable troubles. The licensing justices failed from the first to carry out the object of the Act of 1552, and the judges were instructed to inquire into, and censure, cases of remissness, when trying offences connected with alehouses. The Beer Act was a failure on a scale of dreadful magnitude. It was designed to destroy the brewers' monopoly, secure cheap beer, and empty the spirit-shops. But while impotent for good it was powerful for evil.

Sydney Smith, writing in 1826, said: "Advocate free trade in ale and alehouses;" but writing in October, 1830, he remarked, "The new Beer Bill has come into operation. The sovereign people are in a beastly state." Thirty years later an attempt was made to promote sobriety by facilitating the purchase of liquor at houses other than ordinary drink-shops; yet no one can pretend that aught but failure, and mischievous failure, has resulted. The Act of 1872 was to do great things, but its authors claim nothing more for it now, than that it has conduced to superficial improvements, while some of its best provisions were expunged by the Act of 1874.

Inquiry as to the reasons of this uniform failure will show, that, besides some subsidiary causes, the fundamental reason has been an *error of method*, springing from a non-recognition of the peculiar properties and action of alcoholic liquors. Much of the past legislation has proceeded on the assumption, that intoxicating liquors could be treated as if they were not intoxicating, and as if the whole source of the evil did not lie in their tendency to create an appetite for themselves, and to inflict immediately on their victims, and ultimately on society, the worst of all the ills which mankind can suffer. While acknowledging a certain amount of danger calling for special regulations, Parliament has thought it possible to reduce these risks to a nominal point, by arrangements which could either never be enforced, or, if enforced, could not act upon the real origin of the mischief—the intoxicating nature of the drinks themselves. No legislation can

alter this fact, and the efforts sometimes made to give a preference to the lighter alcoholic beverages have rather induced a taste for the stronger kinds, and have led to a larger consumption of both.

How signal has been the failure to bring about a s of social sobriety by legislation of such a character as may be seen in almost every family register; and if th could be withdrawn from the lives of great num the keepers and customers of every drinking-ho other argument would be req herent evil of the drink traffic, of all such legislation in the fu

Where, indeed, restrictions ha have acted favourably, but their has never been sufficient to rend innoxious, or to convert a pub bane into a public blessing. Ev the liquor trade is a record of its The moralists of every age have concurred in this testi mony, and that which Cowper affirmed in verse when in "The Task," he wrote of "the styes which law has licensed," the *Quarterly Review* of 1820 put into prose when it described public-houses as "seminaries of iniquity."

The Lords' Select Committee on Intemperance which sat 1877–79, stated in their Report, that it had not been proved that recent legislation "has diminished the amount of drunkenness." The committee considered that drunken ness had not i. reased in rural districts, but that in towns it had increased considerably during the five or six years

of prosperity which followed the year 1868. They could only add that "there is no evidence to prove that the country is in this respect in a *worse* condition than it was [redacted]y years ago"!

[redacted]n a subsequent paragraph of their Report, which will [redacted]cited on another page, the committee refer to the [redacted]st increase of female intemperance," and to the fact [redacted]neral legislation "has been powerless to produce [redacted]ceptible decrease of intemperance."

[redacted]ng the experi[redacted]s which have been proposed, [redacted]ne yet remains to be adopted— [redacted]n their own localities power to [redacted] way of restriction or exclusion [redacted]ich it has been found impossible [redacted] To stop where we are, would [redacted] to grapple with the greatest of [redacted] would further be to put up with [redacted] before all possible means of solving the problem had been attempted. For such an abandonment of effort there is no justification and no excuse. The people may have more wisdom and more courage than licensing justices have shown. National sobriety is not to be despaired of, because methods of State regulation have not been successful. There is "a more excellent way," and a more effective method, than that which law has yet pursued. Behind and beyond all that has yet been done, lies an appeal to Local Option—option unstinted and unlimited on the side of "mending or ending" the cause of all the mischief. Past Failure is a

reason, not for refusing, but for seeking, further trial, and upon other lines. Till the people themselves have been allowed to do their best, the best has not yet been done.

II. SOCIAL JUSTICE.

When we speak of the intemperance of our country, we are not speaking of intemperance in the widest sense of the word, but of that intemperance simply—the gravest of all—which arises from the use of intoxicating drinks. It is *alcoholic* intemperance which has been our national bane and burden through many centuries. Unlike other kinds of intemperance, which is the abuse of a natural appetite, the appetite for alcohol is produced and increased by its use, and the more common this use the more general the appetite, and the more pernicious the results. Alcoholism (under which name, rather than that of "intemperance," the specific action of alcohol would be best described) has become the curse of all civilized, and of many uncivilized countries, by the facilities and encouragement given for the consumption of alcoholic liquors; and no means for extending this use can be conceived more successful, short of their compulsory consumption, than making it the primary interest of a class to carry on the traffic in them, the amount of this traffic being the measure of the dealers profits. If the love of money is a root of all evil, this root never brings forth fruit so bitter and deadly as when it is associated with the propagation, through society, of a love for liquors which create a passion for themselves.

and bring upon individuals, families, and the wh[ole] community the most appalling calamities.

In the production and circulation of such drinks [the] fruits of the earth are appropriated to a purpose the [most] opposite of that [for] which they were created, a[nd] [which] would provide physical sustenance [for] millions of persons.

Further, the industry of a considerable part [of the] people is diverted into a channel which is not o[nly] unproductive, as adding nothing to the wealth of [the] country, but is productive of evils which statistics can[not] even the imagination depict.

Discussing this question thirty-one years ago—and [the] intervening years have but added their additional weig[ht] of evidence to the testimony then borne—*The Edinbu[rgh]* [Review] said (July, 1854): "The liquor traffic, and p[ar]ticularly the retail branch of it, is a public nuisance [in] three respects—physically, economically, and moral[ly]. As a physical consequence it causes death to tho[usands], and reduces thousands more to madness or idiotc[y]. [It] afflicts myriads with diseases involving the mo[st] [ter]rible bodily torture. Considered in its economical results, it impoverishes nations, by destroying a large amount of corn which is annually di[s]tilled into spirits, and it indirectly causes three-fourth[s] of a taxation required by pauperism, and by criminal prosecutions, and prison expenses; and, further, it diminishes the effective industry of the working classes, thereby lessening the amount of national production.

Thirdly, viewed in its moral operation it is the cause (as we have previously shown) of two-thirds of the crime committed; it lowers the intelligence and hinders the civilization of the country; and it leads the men to ill-treat and starve their families, and sacrifice domestic comfort to riotous debauchery."

Since the above remarks were penned, inquiries have been pursued into the destructive effects of the liquor traffic upon the national health, wealth, and morality, and, unhappily, the increasing consumption of intoxicating liquors in that period, has not only substantiated former declarations, but has added terrible emphasis to every item of the great indictment. More money wasted, more food destroyed, more labour-power diverted, more disease and death produced; while crime, pauperism, vice, and lunacy, with their attendant taxation, have continued with monotonous constancy to blacken the national life and sully the national reputation. It should also be recollected, that the old evils have not been maintained or aggravated, while the efforts of philanthropists and religious workers, together with legislation on health and education, and the entire force of the Temperance propaganda, have been directed towards the abatement of this social curse. It is only when we take this fact into account, and the tremendous force for mischief we become sensible of is increasingly exerting, so that which the liquor traffic quarterly journal, *The North British Review* (February, 1855) is now more painfully true than was said by another writer: "The struggle

of the school, and the library, and the church, all united against the beerhouse and gin-palace, is but one development of the war between heaven and hell."

If all this is not idle rant, but sober truth, the natural and inevitable conclusion is in favour of a measure of Local Option, which shall make each district responsible for the continuance of the liquor traffic, by giving it the necessary legal power for its reduction or removal.

This conclusion can only be disputed by calling in question the magnitude of the evil, or, by boldly impugning the reality of the connection between drinking and the drink traffic on the one hand, and the great social evils on the other.

Both courses have been adopted in recent years. It has been said that things are not so bad as they are represented; that there is a great improvement; that pauperism and crime are diminishing; and that drunkenness itself is not so prevalent as it was. Considering the vast amount of philanthropic effort increasingly in progress, the great development of commercial and industrial enterprise in the last half-century, the extent of emigration, and the spread of popular education, it would be miraculous if some good results were not manifest in the national condition. But if immense evil, suffering, and destruction still continue, the question is, Should these things be allowed to go on? or should not every possible endeavour be made for their removal?

With an annual expenditure on strong drink of £130,000,000, and an indirect loss resulting therefrom

of at least £100,000,000 more; with a direct annual loss from drinking of 40,000 lives, and of 80,000 more indirectly; with a pauper-roll containing at least 3,000,000 names annually; with a growing host of lunatics to support; with a heavy calendar of crime, the minor classes of which are not diminishing but increasing, whatever may be said as to the graver crimes; with the never-ending production of an intemperance which police statistics do not even faintly shadow forth—are we to be satisfied with assurances that there are some streaks of light upon the dark horizon? and that in centuries to come some definite progress towards a state of civilization will have been secured?[1]

If some judicial paralysis had seized us, or some inevitable calamity had befallen us, we might suffer and wait, but the state of things we lament is largely traceable to causes not only well known, but within our control, and causes which would not continue if we did not systematically perpetuate them by legislation. And if neither Parliament nor the country is prepared for an immediate and general reform, the least that can be done, is to provide for registering the growth of opinion, and so give to localities the means of helping themselves, and thus aiding that confluence of effort by which a national reformation may be effected.

But again the voice of objection is raised, and if we refuse to be comforted, and let things take their course we are told that a great mistake is made in connecting

[1] See Appendix IV.—"Statistics of the Liquor Traffic."

drinking with pauperism and crime, or even public-houses with drunkenness. The connection, it seems, has been altogether mis-stated. Drinkers become paupers, and drunkards drink; but it is not drinking that makes paupers and criminals! As for public-houses, it is true that drink is sold there, but it is also true that drunkenness is not proportioned to the number of drink-shops, nor is crime proportioned to the extent of the drunkenness, *ergo*, there is no causal connection between them!

It is hard to believe that any one can have convinced himself that such a line of defence is of the slightest value. If the causal connection between drinking and every form of social evil, has not been established by evidence the most abundant, it would be difficult to know what evidence is, or what it is capable of proving. No counter evidence is forthcoming; but some statistics are adduced, to show that the number of indictable offences is not always proportioned to the number of arrests for drunkenness. It never seems to have struck these reasoners, that the only safe inference from this fact is, that in some places the drinking leads to more serious offences than in some other places—a circumstance not at all to be wondered at. That the police-registered drunkenness is not always proportioned to the number of drink-shops is very true; but (1) all drink-shops are not the same in size or power of mischief; (2) local police arrests are by no means proportioned to the amount of local drunkenness. It will not unfrequently happen that where the cases of flagrant drunkenness are

fewer, the arrests will be larger, and *vice versâ*. It is also obvious, that some of the very worst effects of the liquor traffic are produced apart from such drunkenness as comes within police observation and arrest.

Putting aside, then, such strictures as are mere trifling with a question of the gravest consequences, it becomes the demand of Social Justice that the localities which suffer should have the option of relief. The evil, indeed, is national, but it is so because it is local, and it is the aggregation of local evils that constitutes the national curse. This curse will be nationally diminished in proportion as the separate localities are freed from it, and it is the object of Local Option to render possible that freedom which is not possible at present.

Social injustice of the highest order is perpetuated by refusing to local communities this power of self-help. Upon this point nothing more expressive, and impressive, can be said than is to be found in the Report of the Lords' Committee on Intemperance. The paragraph was prepared with direct reference to the Gothenburg system, under which local corporations in Sweden are allowed to commit the vending of spirits to companies, on certain conditions, by which it is sought to minimize the evils of the sale. But the paragraph, as will be seen, is more justly applicable to the proposal of Local Option, by which districts would be rendered capable of using the most effectual measures for their own deliverance and protection. Not until Local Option is granted can the claims of Social Justice, set forth so powerfully in this

paragraph, be considered as complied with: "When great communities, deeply sensible of the miseries caused by intemperance; witnesses of the crime and pauperism which directly spring from it; conscious of the contamination to which their younger citizens are exposed; watching with grave anxiety the growth of female intemperance on a scale so vast, and at a rate of progression so rapid, as to constitute a new reproach and danger; believing that not only the morality of their citizens, but their commercial prosperity, is dependent upon the diminution of these evils; seeing also that all that general legislation has been hitherto able to effect has been some improvement in public order, while it has been powerless to produce any perceptible decrease of intemperance;—it would seem somewhat hard, when such communities are willing, at their own cost and hazard, to grapple with the difficulty, and undertake their own purification, that the legislature should refuse to create for them the necessary machinery, or to intrust them with the requisite powers."

III. UNIFORM EXPERIENCE.

In asking for Local Option we are not asking for powers which have never been exercised, nor are we entering upon an experiment which affords no indication as to its probable issue. Without referring to the prohibitions contained in the most venerable ethical books of the ancient world, and embodied in the institutions of some of the greatest nations, it is not necessary to do

more than summarize a portion of the evidence which has been contributed during the last thirty years.

Local Option not having been yet enacted in this country, there is no testimony as to its direct working here; but there is no lack of facts concerning the result of action taken for the exclusion of the liquor traffic from certain districts in the United Kingdom.

In 1849, a committee of the Church of Scotland General Assembly, presented a Report on Intemperance, based on reports from 478 parishes; and in their own Report the committee said, "Wherever there are no public-houses, nor any shops for selling spirits, there ceases to be any intoxication." There were reports from nearly forty parishes thus happily circumstanced. From a parliamentary return, more than ten years later, it appeared that there were 144 parishes in Scotland, with a population of 113,035, without a place for the sale of spirits for consumption on the premises, and that of this number, 104 parishes, with a population of 80,117, were without a licensed liquor-shop of any kind.

In Ireland, a district of 61½ square miles in the county of Tyrone was cleared of all whisky-shops by the efforts of one of the leading magistrates and proprietors, who, some years subsequently, was presented with an address thanking him for his services in this and other matters. The town of Bessbrook, near Newry, where the large linen works of Messrs. Richardson are situated, has long been free from the liquor traffic, with the greatest advantage to the resident population.

In England there have been, from time immemorial, extensive estates free from drinking-shops. More than twenty years ago, a list of them was published, and it included the names, as proprietors, of some noblemen and M.P.'s who were excluding drink-shops from their own estates, while refusing to aid in getting for the people themselves the power to imitate this example! Mr. C. Buxton, in the passage already quoted from his admirable paper (1855), bore testimony to the advantages flowing from the absence of liquor-shops in villages with which he was acquainted.

It was not, however, till the publication of the Report of the Committee on Intemperance, appointed in 1868 by the Convocation of Canterbury, that it was known to what extent this landowners' option had been exercised. Archdeacon Sandford, the chairman of that committee, in sending out inquiries as to the effects of drinking-shops, called for information as to the absence of such houses, and the results of their disappearance or non-existence. It was owing to the striking character of the replies received, that the committee included in their report the recommendation which Sir Wilfrid Lawson took for his Local Option resolution. To their recommendation the committee added the following important words: "Few, it may be believed, are cognizant of the fact, which has been elicited by the present inquiry, that there are at this time, within the Province of Canterbury, upwards of one thousand parishes in which there is neither public-house nor beer-shop; and where, in con-

sequence of the absence of these inducements to crime and pauperism, according to the evidence before the committee, the intelligence, morality, and comfort of the people are such as the friends of Temperance would have anticipated."

In the Appendix to the Report referred to, extracts are given from the answers returned, showing the good effects attending a reduction of drinking facilities, and still more from their entire extinction. The committee had understated the number of prohibitory districts, a careful examination showing that there were no fewer than 1,454, with an aggregate population of 231,988. These returns relate, it must be remembered, to the Province of Canterbury alone, while the remainder of England and Wales, forming the Province of York, with a population of about one-third of the whole, contains many districts, such as Saltaire, where there is no licensed sale of intoxicating liquors for consumption on the premises, and, in many cases, no sale in any form whatever. A considerable amount of valuable evidence of this kind was laid before the Lords' Committee on Intemperance in 1877–78; but in their Report their lordships, while declining, for certain reasons, to recommend the Permissive Bill, do not make the slightest mention of this evidence, which, in some important respects refuted by anticipation the objections preferred in the Report.

There is, in addition to these cases, the evidence furnished by building enterprises where the no-license

principle is carried out. Foremost among these is the Artisans', Labourers', and General Dwellings' Company, whose estates of Shaftesbury Park, Wandsworth Road, with 1,200 houses and 6,000 persons, and Queen's Park, Harrow Road, with 2,200 houses and 12,000 persons, are without a single drinking-shop; and the still larger Noel Estate, at Wood Green, will be managed under the same regulation. In the heart of Liverpool, a large district, with a population of many thousands, is subject to the same rule. It was a noteworthy episode in the life of the late Earl Beaconsfield, that on the 18th of July, 1874, he was present at the opening of the Shaftesbury Park Estate, in company with Earl Shaftesbury, Earl Granville, Sir Wilfrid Lawson, &c. Lord Shaftesbury, who presided, announced amidst loud and prolonged cheers, that there would be no public-house on the estate; and Mr. Disraeli, then Prime Minister, said, "The experiment which you have made has succeeded, and, therefore, can hardly be called an experiment; but in its success is involved the triumph of the social virtues, and the character of the great body of the people. . . . I see the possibility of attaining results which may guide the councils of the nation in the enterprise which I believe is impending in this country, on a great scale, of attempting to improve the dwellings of the great body of the people."

Whether the principle thus acted upon has been useful in practice, is a question answered not merely by the attested results, but by the continued adherence to it of

those who have no reason for maintaining it but for its undeviating success. Nor can it be affirmed that what is good for landowners and business companies is bad for the people affected. That every one is satisfied would be too much to assert; but that the dissatisfied are a very small proportion of the whole, is clear from the absence of complaints, and from the expressed opinion of those affected when directly consulted. Parliament has never been appealed to by those residing in a prohibitory district, to correct the "injustice" they endure, of being deprived of ready access to a drinking-shop. And it is not a little singular, that the writers who predict so many unfortunate results from Local Option, do not inquire as to the present working of Prohibition, where it is a regulation concerning which the inhabitants have not been consulted. They cannot pretend that what is done without the people's prior consent, succeeds the better on that account; or, what is equivalent, that the same rule which now works well under Landlord Option, would work ill under Popular Option. Yet they prophecy evils under the one arrangement which do not occur under the existing arrangement; and it may, therefore, be charitably concluded, that they have no knowledge of the excellent working of a principle, which they object to see carried out by the free action of the people themselves.

If we look across the Atlantic, we shall perceive additional reason for confidently expecting good results to flow from Local Option. On June 2, 1851, the State of Maine passed a Prohibitory Liquor Law (and

called elsewhere for brevity "the Maine Law"); and though the law was repealed late in 1856, it was re-enacted, after reference to the popular vote July 15, 1858, and has since remained in force. On September 8, 1884, by a majority of 68,000 votes to 23,000 of the electors of the State, the principle of Prohibition was incorporated into its Constitution, so that no law allowing liquor to be sold can be passed till the Constitution is changed. Kansas, however, over which began the contest leading to the great Civil War and the fall of Slavery, was the first State to make Prohibition a part of its Constitution, in 1881. Iowa followed this example in 1882; and when a majority of the judges decided that the vote had not been taken constitutionally, the legislature of Iowa passed a prohibitory law. Vermont and New Hampshire many years ago enacted prohibitory laws, which continue in force. St. Johnsbury, in the former State, was visited by Mr. Hepworth Dixon, and described by him as a "workman's paradise," owing to the absence of the liquor traffic. Massachusetts has a permissive law, and there are portions of that State where, owing to Local Option, licenses have not been issued for more than forty years. The State of New Jersey furnishes admirable examples of Prohibition in the districts of Vineland, Ocean Grove, and the places which have adopted Local Option. In Vineland, with a population of about 10,000 persons, a vote of the electors is taken annually on the subject of drink-shops, and has uniformly and almost unanimously, gone for no-license. Progress

has been made throughout the United States since it was stated a year ago. "At the present time, Local Option Prohibition has been obtained in three-fourths of the area in Massachusetts, more than half of Maryland, in ninety counties in Florida, in over ninety counties in Georgia, in one-third of Alabama, in one-half of South Carolina, in seventy-five counties in Arkansas, in forty counties in Missouri, in one-half of Rhode Island and Connecticut, in five counties of New Jersey, in a large part of Tennessee, and in large areas of New York State, Illinois, Wisconsin, and other States of the Union."

The Dominion of Canada, with an area larger than that of the United States, has been the scene of great efforts and many successes. The legislation in force before the Confederation was formed, in 1867, enabled several of the provinces to act vigorously against the liquor traffic, and in Nova Scotia a large portion of the country had been put under "no-license" regulation. By means of the combined provisions of the Temperance Act of 1878 (often called the Scott Act), and the Liquor License Act of 1883, which came into operation January 1, 1884, in the various provinces—Ontario, Quebec, Nova Scotia, New Brunswick, Prince Edward's Island, Manitoba—not only large districts, but entire counties have come under Prohibition rule by the free action of the people. Facilities are afforded for reducing the traffic, but none for extending it, while certain provisions, such as closing from seven p.m. on Saturday to six a.m. on Monday, are peremptorily applicable to the Dominion. In any

sub-district a petition signed by two-thirds of the electors prevents any license being issued. In the municipalities (not cities), three-fifths majority of votes can pass local prohibitory bye-laws. In counties Prohibition can be adopted by a majority of votes.[1]

In the North-west Territory Prohibition is enforced by an Act of the Dominion Parliament, and even the possession of liquors is forbidden. The Marquis of Lorne, as ex-Governor-General of Canada, has borne testimony to the good effects of this law, and similar testimony was given in our House of Commons by Mr. A. Staveley Hill, M.P., who is not a supporter of Local Option.

It has been common for the friends of licenses in America, and for a class of British travellers in New England, to represent the Maine Law as a "failure"; but they have seldom discriminated the sense in which the term is used by them. Failure of enforcement may be nothing to the discredit of a law, and the only kinds of failures really worthy of notice, are a failure of enforcement from public hostility, or a failure, when enforced, to yield the anticipated results. The second kind of failure has never been charged upon the Maine Law, and the former kind has seldom or never occurred in any of

[1] The *Canada Citizen* of July 31, 1885, states, that up to that date the complete returns gave a list of sixty distinct cities and counties which had adopted the Scott Act, and of fourteen which had rejected it. The aggregate votes in favour had been 141,370, and in opposition 93,835, an excess of 47,535 favourable votes. In several places a second poll had resulted in the adoption of the Act, but never in its rejection after a previous adoption. (See Appendix VI.)

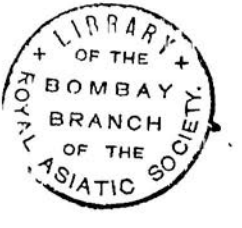
the States adopting the law. Cases of non-execution have generally arisen from the remissness of the local authorities, and have disappeared when other officials have been elected. In Portland, the largest town in Maine, with a population of about 35,000, and the resort of seamen from all parts of the world, there is no open traffic in intoxicating liquors. To show the need of caution in receiving reports from opponents of the law, it may be mentioned, that some time ago it was stated that a number of liquor licenses had been taken out in Portland; the explanation being that these were licenses from the United States Revenue Officers, who for purposes of national revenue, require licenses to be taken from them, and paid for; such licenses, however, giving no right of sale in any State under a prohibitory law. The object of taking them out in Portland was simply to escape the detective supervision of the United States officers, in addition to that of the City police, should the holders of such licenses have attempted to sell liquor contrary to the law of the State.

That Prohibition has been no failure, but a great success, in the United States and Canada, is attested by all impartial witnesses; and, in fact, the Canada Temperance Act of 1878 was passed as the result of the report of a Commission, appointed to inquire into the affects of legislation in the United States. Under the democratic constitutions of the Republican States and of the British Provinces of North America, there can be no reason for maintaining prohibitory legislation, or

Local Option laws, except they are justified by experience, and unless it is proved that the exclusion of the liquor traffic is a great public blessing, both by preventing evils of a very serious nature, and by permitting such a material and moral development as would be impossible were that traffic in legalized operation. Visitors from this country, who report "a failure of the Maine Law," because they were able, by resorting to degrading expedients, to purchase some supplies of liquor, do not perceive that they are refuting their own assertions, while presenting their conduct in a light creditable neither to themselves nor their native land.

"Uniform Experience" are the words designedly chosen to express the natural and universal result of the principle expounded in this volume. Not a single case has ever been adduced of injury to a community, large or small, from the adoption and enforcement of Local Option; but, on the contrary, whenever the public sentiment is decidedly favourable, and whenever the law therefore is properly carried out, the effects on the physical state, and the social and moral life, of the people affected, have ever proved most salutary. Pauperism and crime diminish, family happiness increases, local taxation is reduced, and every religious and benevolent effort has freer play and more prosperous issues. Exactly the reverse is perceived wherever the liquor traffic exists; for in proportion to its prevalence every evil work and influence abounds, and while a stimulus is given to every form of vice and to every species of suffering,

often pressing on the most innocent and helpless, with the greatest severity, the labours of the social and religious reformer are deprived of half their virtue. If, according to the proverb, even fools are made wise by experience, it is not to be supposed that the great body of those who desire their country's good, will submit to be deprived of, at least, the power to change a system which has been always fruitful in evil, for one that has been universally fruitful in blessing. Such a power is Local Option; and to secure it without delay should be one of the first and most earnest resolves of all patriotic citizens.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CHAPTER VII.

APPLICATIONS OF LOCAL OPTION.

GRANTING the justice and wisdom of the principle of Local Option, the inquiry occurs—How may that principle be so embodied in law as best to give to the people the necessary power of self-protection and relief?

Several schemes have been propounded.

1. The one contemplated by the late Government of Mr. Gladstone was to transfer the licensing authority from magistrates to representative bodies in towns, and to county boards when constituted for county purposes. As these bodies would inherit all the powers now possessed by the Licensing Justices, it is contended that Local Option would be realized by this arrangement, the members of such bodies being directly elected by the people, and representing their views on the liquor question.

To this scheme it is objected:

(1) That there are branches of the liquor traffic over which Licensing Justices have not jurisdiction, and that unless representative bodies have extended powers, Local Option would not be complete.

(2) That to place the power of granting or refusing licenses in the hands of such bodies, would expose their members to many corrupt influences; and that they, moving generally in a lower circle of society than the magistracy, would come under greater suspicion than that which has fallen upon even Licensing Justices, as to the motives controlling their decisions.

(3) That the election of men to such bodies would be apt to turn upon their views on this one question, to the neglect of fitness for the discharge of the general local business.

(4) That the great question of License Reform is at least as important as that of Elementary Education, which is administered by separate local bodies.

(5) That the election of representatives to such bodies is often mixed up with party and personal prejudice, so that the views of the electors on the liquor question, might find very imperfect expression, or fail altogether to be represented.

(6) That particular districts desirous of abolishing licenses, might be compelled to suffer from them by a vote of the majority of the representatives; and *vice versâ*. Thus the principle of Local Option would be directly reversed in the smaller areas constituting the licensing divisions, and so the measure would become an instrument for stifling Local Option.

(7) That such bodies might frustrate the whole object for which Local Option has been advocated—a reduction of existing evils—by even adding to the number, and

increasing the mischievous consequences, of the existing drinking-shops. But it can be no part of a national policy to enlarge the scope of local authority for purposes of social injury; and as no party in the State, not even the liquor venders, wish for an increase of drinking-houses, it is impolitic to make changes of administration, by which a state of things already bad might be made still worse.

Replies of greater or less force may, no doubt, be made to these objections. Safeguards against corruption may be devised; the free action of localities may be protected against adverse majorities of representative bodies; and checks may be applied to any attempted extension of the liquor traffic. But it may be considered doubtful how far such provisions would be practically efficient, and they would not, in any case, touch the other objections to which the scheme is open.

2. The plan proposed by Mr. Cowen in his Intoxicating Liquors (Licensing Board) Bill (1876), is partly reproduced in the Licensing Laws Amendment Bill (1885), introduced by Mr. E. S. Howard and Mr. W. H. Houldsworth, which provides for the election of a Licensing Board in each borough or parochial union. Mr. Cowen's Bill would have made such a board purely representative; but the later scheme would make it consist of twelve members, eight being elected by the ratepayers and four by the local justices out of their own number. These Boards would have all the powers now exercised by Licensing Benches; but, where licenses were not renewed,

as they would have been in the usual course, compensation would be granted, to be paid out of a license tax levied on the remaining licensed houses, or out of the local rates in case of a deficit. Against this scheme, so far as regards the licensing authority, some of the objections applicable to general representative bodies would not lie; but others would remain, such as the turning of elections on party and personal considerations, the exposure to corruption, and the risk of limited areas wishing for no licenses, being compelled to have them by a majority of the Board, thus rendering Local Option, in their case, a mockery. The provision as to compensation is not one necessarily connected with any scheme of Local Option, though its tendency to paralyze the action of the Licensing Boards, in the direction of extinction or reduction, is apparent.

3. It is possible to devise a variety of schemes somewhat differing from the above, but each giving modified or unlimited expression to the Local Option principle. It is not at all necessary that the body assigning the licenses, should be the same as that which decides on their number, and the regulation of premises, hours of sale, &c. In Canada the licensing authority is vested in three commissioners for each district, who have power to reduce the number, but not to increase it beyond the legal maximum. In districts electing to have no licenses, these commissioners do not act. One plan of Local Option, is that of allowing the inhabitants to fix the number each year, those voting "No License" to be

counted as having voted for the lowest number, in cases where "No License" should fail to secure the majority of votes.

4. The Bill brought in by Mr. McLagan, as The Liquor Traffic Local Veto (Scotland) Bill, gives power to the electors to vote on three resolutions: (1) To abolish all licenses; (2) to reduce the number of licenses; (3) to prevent the granting of new licenses. A majority of two-thirds would carry any resolution, which would begin to operate not later than at the expiration of existing licenses. A fresh poll to be possible after five years, if the first resolution were adopted; or in two years, if the second or third resolution were adopted, in order to permit further reduction, or the adoption of the other resolutions.

5. The Direct Veto suggestion of the United Kingdom Alliance, steers clear of all objections to schemes which aim at applying Local Option to purposes of licensing reform. It does not pronounce on the comparative merits, or demerits, of competing licensing schemes, but claims that whatever the licensing authority may be, each legally defined locality should be able to exercise a direct veto on the issue of all licenses, new and old. It is contended that no efficient measure of Local Option can exist, in which some provision is not made that the local electors should be consulted on the primary question—whether *any* licenses should be granted. Clearly, if the people of any district are desirous of returning a negative to this question, there is no room for a licensing

authority so far as that district is concerned. The Alliance holds that any plan of Local Option which does not give the people of each district the option of saying "No," is untrue to its name and profession.

It cannot be denied that this demand is one giving full effect to the Local Option principle, or that a direct appeal is the best possible way of getting at the local wishes, free from all extraneous and personal questions. The only objection alleged against it is, that it would be a plebiscite, and that a plebiscite is un-English. If it be meant that direct appeals to the people of localities is unknown to English law, the statement is not in accordance with fact. When it is claimed that every act of local self-government should be done through representatives, the claim is, first, contrary to existing precedents; and, secondly, rests upon a purely *à priori* hypothesis of the universal superiority of the Representative system. For this hypothesis there is no ground in reason or in experience. The Representative system is an admirable expedient, but nothing more; and, as Dr. Freeman has pointed out, the original form of local government, by voting in the General Assembly, common to the ancient Republics, and to the Teutonic and Scandinavian tribes, is still preserved in some of the cantons of Switzerland. Generally speaking, the Representative system is best, and in many cases essential; but there are exceptions, three of which may be named:

(1) Where all that is necessary is to know whether the body of the people desire to be taxed for a particular

local purpose. For this reason the Public Free Libraries Act gives power to take a vote of the ratepayers.

(2) Where the representative body might vote the expenditure of a larger sum of money contrary to the wishes of the ratepayers, and for objects they might not approve. Thus the Boroughs Fund Act, the Act for establishing Local Boards, &c., order such schemes to be submitted to the ratepayers, and enables dissentients to call for a poll.

(3) Where the opinion of the locality on some distinct question of policy can be most easily and fully ascertained by a direct appeal. Thus, where it is wished to enlarge the Poor Law Guardians' tenure of office from one year to three, the ratepayers are directly consulted. To call such a reference to the people a "plebiscite," with the view of discounting it, is a ruse too transparent to deceive or influence any intelligent mind.

Hence, in whatever form the principle of Local Option can be most advantageously applied to granting or refusing separate licenses, and the regulation of licensed houses, there can scarcely be any doubt as to the point, that to ascertain the opinions of the people on the "issue or renewal of licenses," as a distinct question, it is necessary to make a direct appeal, and take a direct vote.

The experience of the United States, where in many places the licensing body has been elected by the people; of Scotland, where the bailies who exercise licensing functions are elected by the people; and of New Zealand, where the licensing authority is vested, without reserve,

and without compensation claims, in elected Boards,—all goes to show that where a great reform in the liquor question has to be carried out, the Representative system does not facilitate, but too frequently impedes its execution. The experience of New Zealand, as related by Sir W. Fox, K.C.M.G., during his visit to England in 1885, is specially pertinent; for after some years' operation the Licensing Boards, as a whole, had not reduced the aggregate sum of licenses by any appreciable number; whereas it is certain, that a very different result would have followed from a direct appeal to the people on the point of reduction or prohibition.

It is impossible that those who are earnestly intent on getting as large a reduction of the liquor traffic as the public mind is prepared for, should be satisfied with any scheme that does not allow the fullest expression of local sentiment, and ensure for this sentiment adequate legal effect.

When the "impractibility" of such a demand is asserted, the assertion cannot be accepted on the *ipse dixit* of any men, however eminent. Why should it be more impracticable, or difficult, to take the opinion of a constituency on a point of policy than on the fitness of a candidate—which fitness is supposed to be largely dependent on the policy he supports? The form of polling in reference to the Guardians' tenure of office is one particularly applicable to such a question as that of the local liquor traffic. After giving the number of polling-paper, the name and address of the voter, such

a paper might proceed, following the example of the polling-paper now used in reference to Guardians :—

"Whereas it has been proposed that no licenses for the sale of intoxicating liquors should be issued within this after the day of , 188 , the Local Government Board, by an order dated day of , 188 , have directed that a Poll shall be taken with the view of ascertaining whether a majority of the ratepayers of this assent to such proposal.

"I, the undersigned, do declare as follows :

"I consent to proposal of No-Licenses after aforesaid date."	"I do not consent to proposal for No-Licenses after aforesaid date."
Place for signature of voter.	Place for signature of voter.

[With all other particulars as in the form now used.]

The reasons in favour of such a method of ascertaining the opinions of the local voters are briefly—

(1) That it would carry into effect the thrice-affirmed opinion of the House of Commons, that "a legal power of restraining the issue or renewal of licenses should be placed in the hands of the persons most deeply affected, by some efficient measure of Local Option."

(2) That it would give to the local inhabitants that power of self-protection to which they have been pronounced entitled, and which it was the object of the licensing system to confer, though that object has been very imperfectly realized.

(3) That it would not prevent any scheme of licensing reform from being tried, while it would not be dependent for its own trial and success upon the success or failure of any particular scheme of licensing reform.

(4) That it would prevent each district from having liquor licenses thrust upon it without its consent, while it would allow the districts not adopting it to receive all the benefit derivable from a reformed licensing system.

(5) That it would permit a fair comparison to be made between the districts under a reformed licensing system, and those preferring the adoption of no license, and would thus enable the whole country to judge of the comparative merits of both systems.

All that remains to be said here may be summed up in a few concluding words. If there be a sincere desire to give the people Local Option in a genuine and constitutional form, there will be no hesitation in permitting them to adopt the simplest and most direct means of declaring their wishes on a subject vital to their happiness and interests. A refusal to grant such a power, can only arise from a determination to maintain the liquor traffic in districts, despite the wishes of the inhabitants, and is therefore a denial of their right to self-government in this particular.

That such a course of obstruction can be long sustained is not within the range of possibility; and it will be well for those who belong to any party, to consider how far they are doing that party a service, by assuming

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an attitude on this question which cannot be upheld with success, or swept aside without loss of credit and repute. To both the friends and opponents of the liquor traffic, Local Option would secure, for the settlement of the question, the only tribunal which can satisfactorily give judgment upon the issue between them.

APPENDICES.

APPENDIX I.

LOCAL OPTION RESOLUTIONS IN PARLIAMENT.

THE following particulars relate to the five divisions taken in the House of Commons on Local Option, 1879-83. The numbers include Tellers and Pairs.

	Total Nos.	For.	Against.	Majority against.
1879	458	185	273	88
1880 (March)	446	166	280	114
1880 (June)	464	245	219	Majority for 26
1881	420	231	189	42
1883	441	264	177	87

APPENDIX II.

THE LICENSING SYSTEM.

THE following abstract of the Licensing Laws in the United Kingdom is condensed from the Report of the Lords' Select Committee on Intemperance, 1879.

I. ENGLAND.

In *England* the existing licenses are, 1st, Wholesale, to sell beer, wine, spirits (excepting publicans' licenses), and additional retail spirits and wine licenses which may be taken out by the wholesale dealer whose premises are used exclusively for the sale of intoxicating liquor; they are granted by the Excise without a magistrate's certificate. 2nd, Retail, including (*a*) publican's license entitling the holder to sell any kind of intoxicating liquor, wholesale and retail, and for consumption either "on" or "off" the premises; (*b*) the two beerhouse licenses, one to sell for consumption "on," the other "off" the premises; (*c*) wine licenses to shopkeepers for consumption "off," and to refreshment-house keepers for consumption "on" the premises; (*d*) spirit and liqueur retail licenses, which may be taken out by shopkeepers who have obtained a wholesale license; (*e*) retail beer licenses only to be held by a wholesale beer dealer; (*f*) table beer dealer's license.

Magistrates may refuse to grant licenses for consumption "on" the premises at their discretion without assigning any

reason, except in cases of beerhouses licensed before 1869, which are in the condition as to renewal of "off" licenses. Beer "off" licenses can now be refused by magistrates, but other "off" licenses can only be refused on one or more of the four following grounds: (1) that the applicant fails to produce satisfactory evidence of good character; (2) that the house, or the adjoining one if owned by the applicant, is disorderly; (3) that the applicant has by misconduct forfeited, or been adjudged disqualified to hold, a license; (4) that the applicant, or premises, are not legally qualified.

Licenses are required to have the concurrence of two authorities, the one to grant the license (if in a county, the local magistrates in Brewster Sessions; if in boroughs, the Borough Licensing Committee); the other to confirm the grant (in counties, the County Licensing Committee chosen annually at Quarter Sessions; and in boroughs, the whole body of magistrates). Confirmation is dispensed with in cases of "off" licenses.

The houses are required to be of a certain annual value, viz., in London and towns of a population of not less than 100,000 £50 for public-houses and £30 for beer or refreshment-houses; in towns with a population of not less than 10,000 £30 for public-houses, and £20 for others; elsewhere the value is £15 and £12.

In respect of the times in which licensed houses should be closed against sale, three classes of districts are established, viz., metropolitan, towns or populous places, and rural districts; and the hours are fixed to be on Sundays in the metropolis up to 1 p.m., from 3 to 6, and after 11 p.m.; elsewhere up to 12.30 p.m., from 2.30 to 6, and after 10 p.m. On week days the closing hours in the metropolis are from 12.30 to 5 a.m.; in towns or populous places from 11 p.m. to 6 a.m., and in rural districts from 10 p.m. to 6 a.m.

Penalties for offences are of two kinds—those for which convictions are not endorsed on the license, and those for which convictions are endorsed when the magistrates so direct. These penalties are progressive, depending on

the endorsement of previous convictions on the license. They are either pecuniary fines, forfeiture of license, or disqualification of the licensee or premises, according to the nature of the offence. Progressive penalties are also imposed in cases of persons found drunk in public places, and increased punishment if the person is riotous, or in charge of horses, cattle, or a steam-engine, or in possession of loaded firearms in any public place.

Licenses may be removed from one district, or part of a district, to another so as to facilitate a more equal distribution of the houses without increasing their number. Six-day, and early-closing, licenses are granted at a reduced rate.

II. SCOTLAND.

In *Scotland* the Forbes-Mackenzie Act created three classes of licenses—(1) Hotels or inns, having at least four sleeping rooms for travellers; (2) Public-houses; (3) Grocers' licenses for selling for consumption "off" the premises. They are all under magisterial control, and must be granted by one authority and confirmed by another. All licensed houses, except hotels for lodgers and travellers, are closed during the whole of Sunday. The magistrates have a limited discretion in fixing the hours on week days. Publicans and spirit grocers, however, can keep their premises open from 8 a.m. to 11 p.m. The police can only enter grocers' premises where they have reasonable grounds for believing that a breach of certificate is being committed, while they may enter public-houses at any time.

III. IRELAND.

In *Ireland* the public-house licenses alone give the holders the right to sell liquors "on" or "off" the premises. They are under nearly the same regulations as in England, except that in Dublin, Belfast, Londonderry, and Galway they are granted, but not renewed or transferred, by the Recorder at

the recommendation of the magistrates. Except gin-palaces in the large towns these licenses are generally held by shopkeepers who deal in clothing, ironmongery, or other merchandise. No value qualification is necessary. The spirit grocers are almost confined to Dublin and Belfast. They are under the control of the magistrates, who can only refuse a license on the ground of the bad character of the applicant or unsuitability of premises. They may sell any quantity of spirits not exceeding two quarts at a time, and only for consumption "off" the premises; the licenses being granted by the magistrates, and not by the recorders. Retail beer licenses are not subject to magisterial control, if held by a wholesale dealer in beer, who requires a magistrates' certificate before he can sell wholesale. The premises of such dealers must be rated at £15 per annum in towns with a population of not less than 10,000; elsewhere, at £8 per annum, and the licensee must be the sole occupant of the premises. The police have power to enter licensed houses at any time. Licensed houses are open on week days in towns having a population of not less than 5,000, from 7 a.m to 11 p.m.; in other places from 7 a.m. to 10 p.m. on week days, and on Sundays entirely closed, except in five principal towns, viz., Dublin, Belfast, Cork, Limerick, and Waterford, where they are open from 2 p.m. to 7 p.m.

APPENDIX III.

SUMMARY OF LICENSES REFUSED, AND OF OLD LICENSES RENEWED OR REFUSED.

TOTAL NUMBER OF OLD LICENSES REFUSED TO BE RENEWED BY LICENSING JUSTICES SINCE THE PASSING OF THE LICENSING ACT, 1874, FROM THE YEARS 1875 TO 1882, INCLUSIVE.

EXTRACTED from Government Return No. 338, ordered by the House of Commons to be printed August 21, 1883, "Showing the number of New Licenses Granted or Refused to be Renewed by the Licensing Justices during each year since the passing of the Licensing Act, 1874."

This Return has been prepared from particulars furnished to the Clerks and Justices of the various licensing districts.

COUNTIES.	Licenses for Consumption On and Off the Premises.		Licenses for Consumption Off the Premises.		TOTAL.
	A.	B.	C.	D.	
ENGLAND.					
Bedford	5	16	2	3	26
Berks	3	13	...	...	16
Buckingham	2	9	...	...	11
Cambridge	2	...	...	...	2
Isle of Ely (Liberty of)	2	3	...	...	5
Chester	7	36	6	8	57
Cornwall	10	2	...	...	12
Cumberland	21	19	2	...	42
Derby	1	6	10	2	19
Devon	19	20	...	...	39

A. Victuallers. B. Beer-houses and Wine-houses. C. Strong-beer Dealers' Additional Retail Licenses. D. Other Beer Licenses.

COUNTIES.	Licenses for Consumption On and Off the Premises.		Licenses for Consumption Off the Premises.		TOTAL.
	A.	B.	C.	D.	
ENGLAND.					
Dorset	10	14	...	...	24
Durham	14	23	2	...	39
Essex	...	9	2	...	11
Gloucester	8	31	2	7	48
Hereford	...	2	...	...	2
Hertford	8	16	1	...	25
Huntingdon	...	1	1	...	2
Kent	23	55	3	1	82
Lancaster	30	104	29	59	222
Leicester	8	8	...	1	17
Lincoln	19	18	...	3	40
Middlesex	2	6	9	...	17
Monmouth	7	15	...	...	22
Norfolk	5	7	1	...	13
Northampton	1	8	...	...	9
Northumberland	14	1	...	...	15
Nottingham	4	1	...	...	5
Oxford	5	7	1	...	13
Salop	20	32	1	...	53
Somerset	3	25	...	4	32
Southampton	1	5	...	1	7
Stafford	22	81	32	9	144
Suffolk	1	6	...	...	7
Surrey	25	79	45	11	160
Warwick	7	16	20	3	46
Westmoreland	2	2	...	...	4
Wilts	5	11	...	...	16
Worcester	2	10	1	1	14
York (East Riding)	8	3	...	...	11
York (North Riding)	25	8	5	4	42
York (West Riding)	45	91	19	80	235
WALES.					
Anglesey	5	1	...	...	6

A. Victuallers. B. Beer-houses and Wine-houses. C. Strong-beer Dealers' Additional Retail Licenses. D. Other Beer Licenses.

Counties.	Licenses for Consumption On and Off the Premises.		Licenses for Consumption Off the Premises.		Total.
	A.	B.	C.	D.	
Wales.					
Brecon	6	26	...	...	32
Cardigan	8	1	...	...	9
Carmarthen	16	4	...	...	20
Carnarvon	14	2	...	...	16
Denbigh	1	11	...	...	12
Flint	...	4	...	1	5
Glamorgan	17	41	10	1	69
Merioneth	1	2	...	...	3
Montgomery	6	2	...	...	8
Radnor	1	2	...	...	3
Boroughs.					
England.					
Dunstable	...	2	...	...	2
Luton	...	7	...	...	7
Newbury	...	1	...	...	1
Reading	3	3	3	1	10
New Windsor	...	2	...	...	2
Wisbech	1	...	...	...	1
Birkenhead	1	12	4	...	17
Macclesfield	1	...	2	...	3
Stockport	...	...	1	...	1
Penryn	1	...	...	...	1
Carlisle (City of)	4	11	...	...	15
Derby	...	3	...	...	3
Devonport	...	2	...	...	2
Exeter (City and Co. of)	1	3	...	...	4
Plymouth	3	2	...	...	5
Bridport	...	1	...	...	1
Dorchester	3	...	...	...	3
Durham (City of)	1	1	1	...	3
Gateshead	6	...	...	...	6
Hartlepool	1	...	...	...	1

A. Victuallers. B. Beer-houses and Wine-houses. C. Strong-beer Dealers' Additional Retail Licenses. D. Other Beer Licenses.

Boroughs.	Licenses for Consumption On and Off the Premises.		Licenses for Consumption Off the Premises.		Total.
	A.	B.	C.	D.	
England.					
Jarrow	...	2	...	1	3
Stockton-on-Tees	1	..	10	...	11
Sunderland	9	27	1	24	61
Bristol	40	246	13	16	315
Gloucester (City of)	3	8	...	1	12
St. Alban's (City of)	1	2	...	5	8
Deal	4	1	...	...	5
Dover	6	2	...	...	8
Maidstone	2	...	...	...	2
Margate	5	10	3	...	18
Sandwich & its Liberties	1	...	...	...	1
Accrington	...	1	...	...	1
Ashton-under-Lyne	81	5	...	...	86
Blackburn	...	1	...	2	3
Bolton	...	...	9	...	9
Burnley	...	...	1	1	2
Bury	...	1	...	...	1
Liverpool (City of)	31	202	30	...	263
Manchester (City of)	20	117	42	21	200
Oldham	...	3	...	...	3
Over-Darwen	...	...	...	35	35
Preston	9	6	...	4	19
Rochdale	...	1	...	2	3
Salford	3	12	17	24	56
Southport	...	...	1	...	1
Warrington	...	...	...	8	8
Wigan	...	...	...	4	4
Leicester	1	1	...	2	4
Grantham	1	2	...	...	3
London (City of)	46	59	...	...	105
Newport	4	17	...	...	21
Norwich (City of)	18	7	1	...	26
Yarmouth, Great	1	...	...	...	1
Northampton	1	...	4	5	10

A. Victuallers. B. Beer-houses and Wine-houses. C. Strong-beer Dealers' Additional Retail Licenses. D, Other Beer Licenses.

Boroughs.	Licenses for Consumption On and Off the Premises.		Licenses for Consumption Off the Premises.		Total
	A.	B.	C.	D.	
England.					
Newcastle-on-Tyne	17	60	6	3	86
Tynemouth	12	4	...	...	16
Banbury	...	1	...	...	1
Ludlow	2	...	...	...	2
Oswestry	1	1	...	...	2
Wenlock	1	...	...	...	1
Bath	1	...	...	...	1
Yeovil	...	1	...	...	1
Portsmouth	6	8	4	...	18
Southampton	3	1	...	...	4
Winchester (City of)	...	2	...	...	2
Hanley	...	3	...	...	3
Longton	...	21	4	...	25
Wolverhampton	3	22	3	...	28
Bury St. Edmunds	1	...	...	...	1
Ipswich	...	1	...	...	1
Reigate	...	2	...	...	2
Brighton	1	2	...	...	3
Hastings	...	1	...	...	1
Birmingham	2	11	...	5	18
Coventry	2	...	...	...	2
Leamington	2	1	...	...	3
Dudley	4	16	7	...	27
Kidderminster	...	8	4	...	12
Worcester (City of)	1	...	...	...	1
Hull	4	1	...	1	6
Middlesborough	1	5	2	...	8
Richmond	...	2	...	...	2
Scarborough	1	...	...	...	1
York (City of)	2	...	...	...	2
Batley	...	1	...	...	1
Bradford	1	11	7	14	33
Dewsbury	...	14	...	...	14
Pontefract	...	...	...	1	1

A. Victuallers. B. Beer-houses and Wine-houses. C. Strong-beer Dealers' Additional Retail Licenses. D. Other Beer Licenses.

Boroughs.	Licenses for Consumption On and Off the Premises.		Licenses for Consumption Off the Premises.		Total.
	A.	B.	C.	D.	
England.					
Leeds	4	3	...	...	7
Ripon	...	1	...	...	1
Sheffield	...	22	7	...	29
Wales.					
Brecon	2	...	...	...	2
Aberystwith	5	1	...	...	6
rmarthen	1	...	...	...	1
Carnarvon	5	1	...	...	6
Denbigh	...	...	3	...	3
Wrexham	...	3	...	...	3
Aberavon	...	2	...	...	2
Cardiff	1	16	1	...	18
Swansea	9	3	4	1	17
Welshpool	...	1	...	...	1

A. Victuallers. B. Beer-houses and Wine-houses. C. Strong-beer Dealers' Additional Retail Licenses. D. Other Beer Licenses.

The Inland Revenue Office on June 3, 1885, issued a statement, from which it appears that there are 1,182 fewer public-houses and beer-houses in 1885 than in 1884, an increase of 59 beer and wine-houses, or a net decrease of 1,023 licenses. Allowing for additional licenses granted, these figures indicate that the annual rate of *refusals* of renewals has doubled itself.

APPENDIX IV.

STATISTICS OF THE LIQUOR QUESTION.

TABLE SHOWING THE POPULATION, TOTAL COST, AND AVERAGE COST PER HEAD OF INTOXICATING LIQUORS IN THE UNITED KINGDOM FOR VARIOUS YEARS FROM 1820 TO 1870, AND FOR EACH SUBSEQUENT YEAR UP TO 1884.

Year.	Population.	Total Cost.	Average Cost per Head.
		£	£ s. d.
1820	20,807,000	50,440,655	2 8 6
1825	22,571,000	67,027,263	2 19 5
1830	23,820,000	67,292,278	2 16 5
1835	25,443,000	80,527,819	3 3 0
1840	26,500,000	77,605,882	2 18 10
1845	27,072,000	71,632,232	2 12 11
1850	27,320,000	80,718,083	2 18 10
1855	28,183,000	76,761,114	2 14 6
1860	28,778,000	85,276,870	2 18 6
1865	29,861,000	106,439,561	3 11 3
1870	31,205,000	118,736,279	3 16 1
1871	31,513,000	125,586,902	3 19 1
1872	31,835,000	131,601,490	4 2 8
1873	32,124,000	140,014,712	4 7 8
1874	32,426,000	141,342,997	4 7 2
1875	32,749,000	142,876,669	4 7 3
1876	33,093,000	147,288,759	4 9 0
1877	33,446,000	142,007,231	4 4 10
1878	33,799,000	142,188,900	4 4 1
1879	34,155,000	128,143,865	3 15 0
1880	34,468,000	122,279,275	3 10 11
1881	34,929,000	127,074,460	3 12 3
1882	35,289,000	126,251,359	3 12 0
1883	35,611,000	125,477,275	3 10 5
1884	35,961,000	126,349,256	3 10 3

THE NATION'S DRINK BILL.

AMOUNT OF MONEY EXPENDED IN THE UNITED KINGDOM UPON INTOXICATING LIQUORS IN 1883 AND 1884.

	Gallons.		1884.	1883.
British spirits	27,994,727	at 20/-	£27,994,727	£28,713,997
Foreign spirits ...	8,085,705	at 24/-	9,702,846	9,882,885
Wine	14,075,625	at 18/-	12,668,063	12,994,685
Beer	993,114,936	at 1/6	74,483,620	72,435,708
British wines, &c., estimated.....	15,000,000	at 2/-	1,500,000	1,500,000
Total.....			£126,349,256	£125,477,275

It is the opinion of the best informed individuals that the cost of the mischiefs resulting from drinking, viz., Pauperism, Crime, Disease, Accidents, Loss of Labour, &c., amounts to fully as much as the cost of the drink itself; and, therefore, if the direct and indirect cost of the drink be added together, it will give over £250,000,000, and deducting £50,000,000 of this for Revenue and other uses, it still leaves over £200,000,000, as the cost to the nation yearly through intoxicating liquors.

In return for such an enormous outlay, we should naturally expect that great advantages and benefits would accrue to the community.

The fact of the case, however, is, that whilst the liquor traffic entails a cost on the country's resources of £200,000,000, all that the nation gets in return for the same is a harvest of crime, misery, destitution, vice, disease, ruin, and death. If we paid the money to be rid of these evils, it would be proof of common sense; but to buy them, and at such a price, is such supreme folly, that were it not perpetrated before our eyes we should think it utterly impossible.

The Times in a leading article on the Drink Bill, said: "Drinking baffles us, confounds us, shames us, and mocks us at every point. It outwits alike the teacher, the man of business, the patriot, and the legislator. Every other institution flounders in hopeless difficulties; the public-house holds its triumphant course."

DRINK FIGURES FOR UNITED KINGDOM. OTHER STATISTICS ENGLAND AND WALES ONLY.

	Money expended upon Intoxicating Liquors.	Cases of Drunkenness.	Total Convictions for Crime.	Number of Lunatics.	In-door Paupers.	Out-door Paupers.	Total Number of Paupers.	Amount paid in Actual Relief of the Poor.
1860	£85,276,870	88,361	255,803	38,058	119,026	731,994	851,020	£5,454,964
1861	94,942,107	83,196	263,510	39,647	130,961	759,462	890,423	5,778,943
1862	88,867,563	94,908	272,969	41,129	143,191	802,975	946,166	6,077,922
1863	92,088,185	94,745	283,641	43,118	146,197	996,427	1,142,624	6,527,036
1864	103,720,012	100,067	300,731	44,795	137,807	871,482	1,009,289	6,423,381
1865	106,439,561	105,310	312,882	45,950	138,119	833,314	971,433	6,264,966
1866	113,925,458	104,365	339,091	47,648	137,986	782,358	920,344	6,439,517
1867	110,122,266	100,357	335,359	49,086	144,629	814,195	958,824	6,959,840
1868	113,464,874	111,465	347,458	51,000	158,723	876,100	1,034,823	7,498,059
1869	112,885,603	122,310	372,707	53,177	163,071	876,478	1,039,549	7,673,100
1870	118,736,279	131,870	389,712	54,713	165,324	914,067	1,079,391	7,644,307
1871	125,586,902	142,343	407,859	56,755	165,289	916,637	1,081,926	7,886,724
1872	131,601,490	151,034	423,581	58,640	154,233	823,431	977,664	8,007,403
1873	140,014,712	182,941	456,705	60,296	151,606	735,739	887,345	7,692,169
1874	141,342,997	185,730	486,786	62,027	149,558	679,723	829,281	7,664,957
1875	142,876,669	203,989	512,425	63,793	153,711	661,876	815,587	7,488,481
1876	147,288,759	205,567	526,915	64,916	148,931	600,662	749,593	7,335,858
1877	142,007,231	200,184	519,839	66,636	157,191	571,159	728,350	7,400,034
1878	142,188,900	194,549	538,232	68,538	166,875	575,828	742,703	7,688,650
1879	128,143,865	178,429	506,281	69,885	175,345	625,081	800,426	7,829,819
1880	122,279,275	172,859	517,373	71,191	189,394	648,636	837,940	8,015,010
1881	127,074,460	174,481	530,966	73,113	189,438	613,688	803,126	8,102,136
1882	126,251,359	189,697	575,593	74,842	188,433	609,181	797,614	8,232,472
1883	125,477,275	192,905	588,710	76,765	190,386	608,910	799,296	8,353,292
1884	126,349,256	*	*	78,528	187,593	586,717	774,310	8,402,553

* Returns not yet issued.

HOW WE SPEND OUR MONEY.

TABLE SHOWING THE MONEY SPENT YEARLY IN THE UNITED KINGDOM UPON VARIOUS ITEMS OF PERSONAL AND DOMESTIC EXPENDITURE.

Bread	£70,000,000	Rent paid for Farms	£60,000,000
Butter and Cheese	35,000,000	Rent paid for Houses	70,000,000
Milk	30,000,000	Woollen Goods	46,000,000
Sugar	25,000,000	Cotton Goods	14,000,000
Tea, Coffee, & Cocoa	20,000,000	Linen Goods	6,000,000

Average yearly expenditure upon intoxicating liquors, 10 years ending 1880, £136,000,000.

From the above figures it will be seen—

1st. That the money spent upon intoxicating liquors is nearly twice as great as the total amount paid for bread.

2nd. That we pay nearly four times as much for intoxicating liquors as we pay for butter and cheese.

3rd. That we spend four and a half times as much upon drink as we spend upon milk.

4th. That we spend more than five times as much upon drink as we do upon sugar, and nearly seven times as much as all our expenditure upon tea, coffee, and cocoa.

5th. That we spend more upon drink than the rent roll of all the farms and all the houses in the United Kingdom.

6th. That we spend about twice as much upon drink as our total expenditure upon woollen, cotton, and linen.

7th. Besides the enormous expenditure upon drink, we have to pay poor and police rates, costs of insanity, crime, vagrancy, accidents, disease, loss of labour, premature death, &c., giving at the very least another £100,000,000, and making a total loss to the nation of more than £200,000,000 yearly.

INDIRECT COST AND LOSS THROUGH DRINKING.

In addition to the money spent in intoxicating liquor, there are enormous losses which indirectly result from our habits of drinking. These cannot be measured; but the following, which are the more important heads under which the losses arise, may be mentioned:—

1st. Loss of workmen's time and labour.

2nd. Loss through deterioration in capacity and skill.

3rd. Loss through deterioration in physical power and damage to health.

4th. Loss through premature deaths.

5th. Loss owing to destruction of property both by sea and land.

6th. Taxes and burdens resulting from pauperism, crime, lunancy, &c.

7th. Loss of productive labour of paupers, criminals, &c.

8th. Loss arising from the unproductive employment of judges, magistrates, lawyers, jurors, gaolers, rate collectors, &c.

9th. Losses arising from the general demoralization brought upon the nation by drinking, which makes progress more difficult and largely increases the cost of all political, religious, social, and educational reform and progress.

Viewing these indirect losses from a purely economic standpoint, they cannot be much less than the money directly spent, so that the actual financial cost and loss to the nation, caused by our habits of drinking, will be about double the direct expenditure, and taking the expenditure of 1883 of £125,000,000, this gives a total of £250,000,000. Against this, however, may be set the income which goes from drink to the revenue, and such good as the nation may receive from the medicinal or other use of intoxicating liquors, the latter being a very doubtful quantity, whilst the saving in poor-rates and the increase of wealth which would

lead to an augmentation of the assessed and other taxes would largely make up for the falling off in revenue from drink; but, if from the £250,000,000 we deduct £50,000,000, it will more than cover all, and still leave a balance of loss, direct and indirect, to the nation of £200,000,000 yearly.

WASTE OF FOOD BY THE LIQUOR TRAFFIC.

THE GRAIN AND OTHER PRODUCE DESTROYED IN THE MANUFACTURE OF INTOXICATING DRINKS IN 1883 WERE AS FOLLOWS:

	BUSHELS.
Malt used in brewing **Sugar** used in brewing	53,656,000
Corn used to manufacture 28,713,997 gallons of British spirits, reckoning 8 bushels to make 19 gallons	12,090,528
Produce Destroyed to make 8,235,738 gallons of foreign spirits	3,467,680
Land used in growing hops, 68,016 acres, reckoning 30 bushels of grain per acre	2,040,480
Produce Destroyed to make 14,382,983 gallons of wine, reckoning the alcoholic strength to be half that of spirits, equal to	3,028,000
Produce Destroyed in making British wines, cider, &c.	1,750,000
	76,032,688

A bushel of malt is equal to a bushel of barley, which weighs 53 lbs. and will give 40 lbs. of flour, which will make 60 lbs. of bread, or 15 4-lb. loaves per bushel, making a grand total of grain or produce destroyed exceeding 1,100,000,000 4-lb. loaves, or over 150 loaves per annum for every family in the United Kingdom.

If these loaves were used as paving stones they would pave a road, 10 yards wide, upwards of 1,900 miles long.

If the loaves had to be baked in one shop, and 500 of

them were baked each hour for 10 hours per day, and for six days per week, it would take the baker over 700 years to bake them.

If this grain were taken and thrown into the sea we should be horrified, but it would be a great mercy thus to destroy it, for the waste of the food would be the whole of the evil. As it is, we destroy it, and also make it into a maddening liquor which ruins and destroys the people.

It were bad enough to destroy the grain, but it is infinitely worse to destroy the grain and ruin the people as well.

THE MORTALITY FROM ALCOHOL.

DR. NORMAN KERR ON MORTALITY.

"The estimate of 40,500 dying every year in the United Kingdom from their own intemperance, and 79,500 dying from disease, violence, accident, or starvation consequent on the intemperance of others, has been submitted to several representative medical gatherings, and has, I regret to say, not been seriously disputed. In fact, it has been pronounced moderate and far within the truth, by such competent authorities as the late Dr. Hardwicke and many other coroners and medical officers of health. Dr. Noble, of Manchester, attributes one-third of our disease to intemperance, and Dr. Richardson has given utterance to the opinion, that were the British a temperate nation the national vitality would be increased one-third."

TOTAL ABSTINENCE PROMOTES LONGEVITY.

Several Life Assurance Companies issue policies in such a way as to give total abstainers the benefit of their superior longevity, as compared with those who continue to use intoxicating liquors. These offices have two sections, one for the general public, and another for total abstainers. The

payments, general calculations, and conditions are the same in both sections. The profits divided as bonuses are greater in the temperance department in proportion to the fewer deaths among the members of that section. These bonuses are significant amounts, varying from 15 to 42 per cent. greater among abstainers. The United Kingdom Temperance and General Provident Institution has had the largest and widest experience in this important department of social and temperance economics. It has issued upwards of 80,000 policies since the formation of the institution.

The striking advantages as to the expectancy of life in favour of total abstainers is illustrated by the following return of this office for the eighteen years ending 1883. These calculations are based upon life tables in general use.

Temperance Section.		
Expected Deaths	2879	
Actual Deaths ...	2035	or only 71 per cent. died.
	844	or 29 per cent. survived.
General Section.		
Expected Deaths	4741	
Actual Deaths ...	4640	or 98 per cent. died.
	101	or 2 per cent. survived.

MORTALITY OF PUBLICANS.

"The mortality of publicans is so serious that the Registrar General's reports show that 138 die for every 100 employed in 70 leading occupations."—Dr. NORMAN KERR.

APPENDIX V.

SOCIAL STATISTICS OF THE UNITED KINGDOM.

1860, 1876, 1881, and 1882.

The following table, giving returns for the years 1860, 1876, 1881, and 1872 are taken from the Judicial Statistics for the various years quoted :

	1860.	1876.	1881.	1882.
Assaults	86,444	122,441	99,458	87,407
Drunkenness	88,361	205,567	174,481	189,697
Indictable Offences against the person	1,802	2,725	2,346	2,635
Deserting or neglecting to support family	3,450	6,618	7,066	7,515
Cases of larceny or theft	37,377	39,482	50,799	51,773
Prostitution	6,694	9,104	8,925	10,160
Begging	7,545	9,753	19,874	20,493
Having no visible means of subsistence	3,090	5,619	6,044	6,576
Maliciously destroying fruit trees, &c.	14,877	23,103	21,028	20,764
Offences punishable as misdemeanours	8,344	13,845	12,518	13,877
Offences under the Vagrant Act ...	6,186	12,958	14,079	15,451
Total	264,170	451,215	416,618	426,349
Money spent on Intoxicating Liquor ...	£85,276,870	£147,288,759	£127,074,460	£126,251,359

In 1860, with a population of 28,778,000, the expenditure of the United Kingdom upon intoxicating liquors was £85,276,870. Year by year the expenditure rose until in 1876 it reached the enormous sum of £147,288,759; thus whilst our population had only grown 15 per cent. our drink bill had grown 72 per cent. Between 1876 and 1880 the

drink bill receded from £147,000,000 to £122,000,000. This was largely owing to the great depression in trade, and, to some extent, it was also due to the vigorous efforts of temperance reformers. In 1881 the drink bill rose again to £127,000,000, since which year it has fallen to the extent of about three-quarters of a million sterling per annum.

From a comparison of the judicial statistics for the year 1860 with those for 1882, the total convictions for crimes which came before the magistrates in 1860 were 255,803, whilst in 1882 they numbered 575,593, being more than double, the population in the meantime having only grown about 23 per cent. The returns for 1882 contained some offences which had no existence in 1860—notably those connected with the Elementary Education Act; but most of these offences spring from, and are attributable to, the intemperance of our people.

THE TWELVE YEARS 1871–83.

During the twelve years ending 1883, the money spent upon intoxicating liquors in the United Kingdom averaged £135,000,000 per year, or £4 os. 3d. per head of the entire population—men, women, and children.

In the year 1860, the amount spent upon intoxicating liquors was £85,276,000, or £2 18s. 6d. per head of the population. That year increased facilities were given for drinking, and year by year the drink bill grew, until in 1876 it reached £147,288,000, or £4 9s. od. per head of the population. From 1876 to 1880, partly owing to the depression in trade, and partly to the earnest efforts of temperance men, the drink bill fell to £122,279,000. Since 1880 the drink bill has slightly risen, it being in 1883 £125,477,000, or £3 10s. 5d. per head of the population.

Whilst the amount spent upon intoxicating liquors annually for the twelve years ending 1883 reached £135,000,000, or £4 os. 3d. per head, the amount spent upon education, including Sunday-schools, for the same period, was only £11,000,000 yearly, or 6s. 6d. per head.

During the same twelve years, the total amount of money

contributed in the United Kingdom to the cause of Christian foreign missions averaged only £1,050,000 per annum, or 7½d. per head of the population. It will thus be seen that *Christian England* contributed £4 os. 3d. per head to strong drink, and but 7½d. per head to the evangelization of the world.

In 1860 the number of persons committed to prison in England and Wales was 116,282, whilst in 1883 they numbered 186,530.

In 1860 there were 30,769 women committed to prison; in 1883 there were 51,296.

In 1860 there were 2,584 women who were committed to prison ten times or more; in 1883 there were 9,316 women sent to prison ten times or more each.

In 1860 the number of lunatics in asylums in England and Wales was 38,058; in 1883 there were 76,765.

In 1860 the amount paid in actual relief to the poor was £5,454,964; but in 1883 it was £8,353,292. In 1884 it was still more, being £8,402,553.

In 1879, according to the report of the Registrar-General, one out of fifteen of the total deaths in England and Wales occurred in workhouses; and in London, one out of every nine. If to these there be added those paupers who die outside of the workhouse, it will show the painful fact that about one person out of every seven who dies is a pauper.

Mr. Alexander MacDougall, jun., Chairman of the General Purposes Committee of the Manchester Board of Guardians, after a careful investigation into the causes of pauperism, found that 51·24 per cent. of the pauperism in the township of Manchester was directly attributable to drinking habits; and that of the total deaths there was one pauper death for every 5·84 of the general population.

During the past 25 years over 75,000 children have been taken from their homes and consigned to reformatories or industrial schools. Of these, 30,000 have been sent during the past seven years.

The Superintendent of the Wellington Reformatory stated that, after twenty-five years' experience, he found that of

over 1,000 boys of the thief class, nine out of ev[illegible] never have come that way but for the drinking hab[illegible] parents, and that there had been only two in the refor[illegible] who were of teetotal parents.

Ex-Bailie Lewis, of Edinburgh, states that of 800 childr[illegible] who were in the Ragged School at Edinburgh, they asc[illegible] tained that there were very few who had not come ther[illegible] through the drinking habits of their parents.

The Edinburgh School Board employs ten officers to enforce attendance at school; and Dr. Adamson, a member of the Board, stated in February, 1881, that 94 per cent. of the children that needed compulsion were the children of parents who were addicted to intemperance.

£125,477,275 was spent directly in intoxicating liquors in the United Kingdom in 1883.

361,542 persons were apprehended for drunkenness in 1883.

974,759 paupers were upon the books of the various Parish Unions on the 1st of January, 1883. Of these 285,873 were confined in Workhouses.

3,400,000 persons came upon the books of the Parish Unions during the year 1883.

103,355 persons were confined as lunatics in 1883.

1,099,977 persons were proceeded against before the magistrates for crime in 1883.

273,560 persons were committed to prison for crime in 1883.

76,000,000 bushels of grain were destroyed to manufacture the drink consumed in 1883, or as much as would have kept the entire population of the three kingdoms in bread food for four months of the year.

120,000 deaths are annually caused either directly or indirectly by the use of intoxicating liquors.

A great deal of the mischief done by intemperance never comes to light at all; and a vast amount of known mischief is done by intoxicating liquors which never finds any public record.

APPENDIX VI.

CANADIAN PROHIBITION FACTS.

THE Canada Temperance Act was passed and received the assent of the Governor-General in May, 1878.

It was first adopted in the City of Fredericton, October 31st, 1878. It went into force in the same city, May 1st, 1879.

It was declared unconstitutional by the Supreme Court of New Brunswick in August, 1879.

On appeal, it was declared constitutional by the Supreme Court of Canada in April, 1880.

On appeal, its constitutionality was sustained by the Judicial Committee of the Privy Council of Great Britain, June 22nd, 1882. Machinery for its enforcement was incorporated in the Liquor License Act of 1883, passed by the Dominion Parliament in that year.

This was declared constitutional by the Supreme Court of Canada, in February, 1885.

The following is a summary of the voting upon the Act up to July 16, 1885 :

Contests won for the Scott Act	67
Contests in which the Scott Act was defeated...	16
Total number of contests.....	83
Total votes polled for the Scott Act	156,842
Total votes polled against the Scott Act	103,209
Net majority for the Scott Act	53,633

In several counties repeal votes have been taken. Some counties that failed on the first vote have voted again, and in one county the Act was voted upon three times. If we take in each of these cases only the latest vote polled, we get the following result:

Total cities and counties in which the Scott Act has been adopted	60	
Total cities and counties in which the Scott Act has been rejected	14	
Total places in which the Scott Act has been voted upon	74	
Total votes polled at last contests in these 74 places		238,174
Total vote for the Scott Act		143,862
Total vote against the Scott Act		94,312
Net majority for the Scott Act		49,550

It is worthy of note that *in no county or city has the Scott Act ever been repealed;* and in every case in which the Act has been defeated, and a second contest has taken place, the Act has been carried upon the second vote. Public sentiment is growing everywhere in favour of the law.

CONSTITUENCIES WHICH HAVE ADOPTED IT.

New Brunswick. — Albert, Charlotte, King's, Queen's, Westmoreland, Carleton, Fredericton (city), Northumberland, Sunbury, York.

Nova Scotia.—Annapolis, Colchester, Digby, Inverness, Pictou, Shelburne, Cape Breton, Cumberland, Hants, King's, Queen's, Yarmouth, Guysboro'.

P. E. Island.—Charlottetown (city), Prince, King's, Queen's.

Manitoba.—Lisgar, Marquette.

Quebec. — Arthabaska, Stanstead, Brome, Drummond, Chicoutimi.

Ontario.—Halton, , Oxford, Simcoe, Dundas, Stormont, and Glengarry, Bruce, Leeds and Grenville, Dufferin, Carleton, Elgin, Lambton, Frontenac, Renfrew, Norfolk, Huron, Brant, Kent, Lanark, Lennox and Adding'n, Guelph (city), Northumberland and Durham, St. Thomas (city), Wellington, Middlesex, Lincoln, Ontario, Victoria.

CAMPAIGNS IN PROGRESS.

Quebec. — Shefford, Pontiac, Bellechasse, Beauharnois, Huntingdon, Argenteuil, Chateuquay.

Nova Scotia.—Halifax (city), Lunenburg.

New Brunswick.—St. John (city).

Ontario.—Russell and Prescott, York, Essex, Grey, Waterloo, Welland, Peterboro', St. Catharine's (city), Belleville (city), Toronto (city), London (city).

ANOTHER SUMMARY.

Nova Scotia has eighteen counties and one city, of which thirteen counties have adopted the Act.

New Brunswick has fourteen counties and two cities, of which nine counties and one city have adopted the Act.

Manitoba has five counties and one city, of which two counties have adopted the Act.

Prince Edward Island has three counties and one city, all of which have adopted the Act.

Ontario has thirty-eight counties and unions of counties, and ten cities, of which twenty-three counties and two cities have adopted the Act, and in seven counties and four cities agitation has been started in its favour.

Quebec has fifty-six counties and four cities, five counties of which have adopted the Act.

British Columbia has five parliamentary constituencies none of which have adopted the Act.

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